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# STATUTES

OF THE

## PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Twenty-Fourth Year of the Reign of His  
Majesty KING GEORGE V

Being the Fifth Session of the Eighteenth  
Legislature of Ontario

1934

BEGUN AND HOLDEN AT TORONTO ON THE THIRTY-FIRST DAY OF JANUARY  
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED  
AND THIRTY-FOUR



ONTARIO

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14 5 34

COLONEL, THE HONOURABLE HERBERT ALEXANDER BRUCE,  
M.D., R.A.M.C., F.R.C.S. (ENG.), LIEUTENANT-GOVERNOR

TORONTO

Printed and Published by Herbert H. Ball, Printer to the King's Most Excellent Majesty  
1934



## FOREWORD

In the publication of the annual volume of the Statutes for 1934, I direct attention to the fact that for the fourth consecutive year copies have been made available for distribution in less than one month after the Legislative Assembly prorogued.

The innovation of last year in definitely separating Public Acts from Private Acts and of printing the Statutes in alphabetical sequence is repeated this year as this method has met with general approval.

At the end of the present volume there also appear for the first time two tables which should prove useful to the legal profession and the general public. One table gives a list of Statutes which have been enacted since the Revised Statutes of 1927 came into force and which were to come into force by Proclamation and the table indicates which of such Statutes have been proclaimed and the dates of proclamation, and which of such Statutes are not yet proclaimed. The other table gives a reference to Proclamations, Orders-in-Council and Regulations of general interest and effect which have been made under statutory authority since 1st January, 1933.

It is my hope that the improvements above mentioned will make this volume of Statutes of more value to the general public.

W. H. PRICE,  
*Attorney-General.*

Parliament Buildings, Toronto,  
21st April, 1934.



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PART I  
PUBLIC ACTS  
Chapters 1 to 66





# 24 GEORGE V.

## CHAPTER 1.

### The Assessment Amendment Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Assessment Amendment Act, 1934.* Short title.

2. Clause *m* of section 1 of *The Assessment Act* is amended Rev. Stat., c. 238, s. 1, cl. *m*, amended. by adding at the end thereof the words "but not a municipal corporation" so that the said clause shall now read as follows:

(*m*) "Telephone company" shall include any person or association of persons owning, controlling or operating a telephone system or line but not a municipal corporation. "Telephone company."

3. Section 3 of *The Assessment Act* is repealed and the following substituted therefor: Rev. Stat., c. 238, s. 3, re-enacted.

3.—(1) Subject to the provisions of subsection 2, wherever in *The Municipal Act*, or in any other general or special Act of this Legislature or in any by-law passed under any such Act, the yearly rates or any special rate are expressly or in effect directed or authorized to be levied upon all the rateable property of a municipality for property or school purposes, such rates shall be calculated at so much in the dollar upon the total assessment of the municipality and shall be calculated and levied upon the whole of the assessment for real property, income and business or other assessment made under this Act. Rateable property, what to include.

(2) The council of any municipality in the county of York adjacent to or lying within ten miles of a city having a population of not less than 500,000 may in any by-law passed under the provisions of section 120*a* provide that the yearly rate to be levied upon taxable income shall not exceed the rate mentioned Municipalities in proximity to cities of 500,000 population.

in subsection 3 and that the proceeds of such rate shall be apportioned to the several purposes for which the yearly rates are levied in accordance with the apportionment to such purposes of the yearly rates upon real property.

Fixed  
income  
tax rate.

- (3) The rate mentioned in subsection 2 shall be a fixed rate of thirty-five mills in the dollar except where there is a difference between the rate levied upon real property for public school purposes and the rate levied upon real property for separate school purposes and where there is such a difference there shall be the same difference in the rate to be levied upon income or assessment for income against supporters of public schools and supporters of separate schools under the authority of this section the lesser rate being thirty-five mills in the dollar and the greater rate being a rate exceeding thirty-five mills in the dollar by the amount of such difference.

Rev. Stat.,  
c. 238, s. 4,  
para. 20,  
amended.

4.—(1) Paragraph 20 of section 4 of *The Assessment Act* is amended by adding at the end thereof the words “but this paragraph shall not apply to exempt such dividends or income from stock in an incorporated company by reason of the assessment or taxation of the income of such company under *The Corporations Tax Act, 1932*,” so that the said paragraph shall now read as follows:

Income  
from stock in  
companies.

20. The dividends or income from stock held by any person in an incorporated company, the income of which is liable to assessment in Ontario, but this paragraph shall not apply to exempt such dividends or income from stock in an incorporated company by reason of the assessment or taxation of the income of such company under *The Corporations Tax Act, 1932*.

Except  
pending  
litigation.

(2) Nothing in subsection 1 contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if subsection 1 had not been passed.

Rev. Stat.,  
c. 238, s. 4,  
para. 25, cl. a,  
amended.

(3) Clause *a* of paragraph 25 of section 4 of *The Assessment Act* is amended by striking out the words “and which said lands have been set apart by the owner for the sole purpose of fostering the growth of the trees thereon and which are not used for grazing live stock” at the end of the said clause and inserting in lieu thereof the words “and which said lands have

been set apart by the owner with the object chiefly, but not necessarily solely, of fostering the growth of the trees thereon and which are not used for grazing livestock."

5. Clause *f* of subsection 1 of section 9 of *The Assessment Act* is amended by striking out the word "fifty" in the sixteenth line and inserting in lieu thereof the word "thirty," so that the concluding portion of the said clause shall read as follows:

Rev. Stat.,  
c. 238, s. 9,  
subs. 1, cl. *f*,  
amended.

"but where a person belonging to any class mentioned in this clause occupies or uses land partly for the purposes of his business and partly as a residence thirty per centum of the assessed value of the land occupied or used by him shall for the purpose of the business assessment be taken to be the full assessed value of the land so occupied or used."

6. Subsection 1 of section 43 of *The Assessment Act* is amended by inserting after the word "of" where it occurs the first time in the thirteenth line, the words "pavements and," so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 238, s. 43,  
subs. 1,  
amended.

(1) In a town or village where lands, held and used as farm lands only and in blocks of not less than ten acres by any one person, are not benefited to as great an extent by the expenditure of moneys for and on account of public improvements of the character hereinafter mentioned in the municipality as other lands therein generally, the council of such town or village shall annually, at least two months before striking the rate of taxation for the year, pass a by-law declaring what part, if any, of such lands shall be exempt or partly exempt from taxation for the expenditure of the municipality incurred for waterworks, whether for domestic use or for fire protection or both, the making of sidewalks, the construction of pavements and sewers or the lighting and watering of the streets, regard being had in determining such exemption to any advantage, direct or indirect, to such lands arising from such improvements, or any of them.

Exemption  
of farm  
lands from  
taxation for  
certain  
expendi-  
tures.

7. Subsection 1 of section 46 of *The Assessment Act* is amended by adding after the word "tramway" in the sixth line the words "or telephone system" so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 238, s. 46,  
subs. 1,  
amended.

(1) Land owned or leased by or vested in a municipal corporation or commission or in trustees or any other body acting for and on behalf of a municipal corporation and used for the purpose of supplying water,

Assessment  
of land used  
by municipal  
public  
utilities.

light

light, heat or power to the inhabitants of the municipality, or for the purposes of a railway, electric railway, street railway or tramway or telephone system shall be liable to assessment and taxation for municipal and school purposes in the municipality in which it is situate at its actual value, according to the average value of land in the locality.

Rev. Stat.,  
c. 238,  
amended.

8. *The Assessment Act* is amended by adding thereto the following section:

Special  
income tax  
roll in lieu  
of income  
assessment.

120a.—(1) The council of any local municipality instead of making an assessment of income as hereinbefore in this Act provided, may pass by-laws requiring every person liable to assessment in respect of income to furnish to the assessment commissioner or assessor within the time fixed by the by-law a statutory declaration according to the form referred to in subsection 2 of section 18, showing the income received during the year ending on the 31st day of December then last past, and providing for the entry of the names of all such persons, whether or not they have furnished such declaration to the assessment commissioner or assessor, and the amount of the taxable income of each such person in a special roll of taxable income, and for levying upon the said taxable income according to such roll the rate in subsection 2 set forth, and for providing for payment of the rate so levied either in bulk or in instalments at such time or times as may be fixed by the by-law.

Tax rate  
for income

(2) The rate mentioned in subsection 1 shall be the same as the rate levied in the current year upon real property, if such rate has been levied prior to the completion of the said special roll of taxable income and its return to the collector of taxes, or if the said rate for the current year on real property has not been levied at the time of the completion of the said special roll and its return to the collector of taxes, the rate mentioned in subsection 1 shall be the rate levied upon real property in the next preceding year.

Recovery  
of rates.

(3) The rates levied on any special roll of taxable income shall be payable and may be recovered in the same way as other rates.

Contents  
of rolls.

(4) The assessment commissioner or assessor shall not be bound by any statement contained in the said statutory declaration, but shall enter in the said special roll of taxable income the name of every person who in his opinion was in receipt of taxable income during

the

the year then last past and the amount of such taxable income which in his opinion such person received in such year; and the assessment commissioner or assessor shall also enter in the said special roll of taxable income opposite each name the letter "P" or the letter "S" indicating that such person is a public school supporter or a separate school supporter.

- (5) Except when examined as a witness before a court, no assessor, assessment commissioner, assistant or other person employed by the corporation of the municipality shall communicate or allow to be communicated to any person except to the solicitor of the corporation in the discharge of his duty any information obtained under the provisions of this section or allow any person to inspect or have access to any written statement furnished under the provisions of this section and no person other than the assessor or assessment commissioner, treasurer or collector and their assistants shall be entitled to any information respecting the assessment of any person, and every person who contravenes this subsection shall incur a penalty not exceeding \$200. Information not to be communicated. Penalty.
- (6) In determining the amount of taxable income of any person any exemptions to which such person is entitled shall apply as of the year in which the income was received. Exemptions.
- (7) Upon completion of the said special roll of taxable income the assessment commissioner or assessor shall forward the same to the clerk who shall, at the rate mentioned in subsection 2, calculate and set down opposite the respective amounts of taxable income entered in the roll the amount of income tax with which the person is chargeable in a manner similar to that in which a collector's roll is made under section 102, and when the special roll is rated the clerk shall deliver the same to the collector who shall proceed to collect the taxes therein mentioned in the same manner as other taxes. Collector's duties.
- (8) A person whose name is entered in the special roll of taxable income shall not be entitled to notice of such entry, but, upon receipt from the collector of demand for payment of the said rate upon the amount for which he is taxable according to said roll, shall have in respect thereto the right of appeal provided in this Act in the case of assessments, but no such appeal Appeal against income taxation.

shall

shall relieve him from payment of any additional charge imposed for non-payment upon the date or dates fixed by the by-law of the said rate upon his taxable income as it may be fixed after such appeal, and no appeal shall lie from the decision of the county court judge on any such appeal.

Manner  
in which  
demand to  
be made by  
collector.

- (9) Every demand issued by the collector pursuant to the provisions of this section shall be written or printed and shall contain a notice as to the right of appeal provided in subsection 8 in the form similar to the notice of appeal set forth in Form 5 of this Act.

Revised  
assessment  
roll.

- (10) The aggregate amount shown in the special roll of taxable income as the same may be altered after appeal to the court of revision and the county court judge, shall be added to and form part of the revised assessment roll for all purposes.

Avoidance  
of dual  
taxation.

- (11) Notwithstanding any provisions of *The Municipal Act* where a rate has in any year been levied on taxable income under the authority of this section no other rate shall in the same year be levied by the council upon any income included as rateable property in the last revised assessment roll, but the rates required by *The Municipal Act* to be levied shall in such year be levied only on rateable property exclusive of income.

First  
effect of  
by-law.

- (12) Income received in the year in which a by-law is passed under subsection 1 for the purpose of bringing the provisions of this section into effect shall be subject to the provisions of this section and of such by-law, notwithstanding that such income or any part thereof may have been received before the provisions of this section take effect.

Rev. Stat.,  
c. 238, s. 143,  
subs. 2,  
amended.

**9.** Subsection 2 of section 143 of *The Assessment Act* is amended by adding at the end thereof the following words: "provided that the ten per centum added to arrears of taxes due on the 1st day of May in any year shall not be compounded."

Rev. Stat.,  
c. 238, s. 147,  
amended.

**10.** Section 147 of *The Assessment Act* is amended by adding at the end thereof the following words: "and may also direct that such lands only be included in the warrant, as belong to any classification mentioned in the by-law or are of the character mentioned therein," so that the section shall now read as follows:

147. The council of a county or municipality whose officers have power to sell lands for arrears of taxes may by by-law passed for that purpose, from time to time, direct that no warrant shall issue for the sale of lands for taxes until after the expiration of a longer period than that provided by section 145, and may also direct that such lands only be included in the warrant as are chargeable with arrears exceeding a certain sum to be named in the by-law, and may also direct that such lands only be included in the warrant, as belong to any classification mentioned in the by-law or are of the character mentioned therein.

By-law  
controlling  
tax sales.

11. Section 152 of *The Assessment Act* is repealed and the following substituted therefor:

Rev. Stat.  
c. 238, s. 152,  
re-enacted.

- 152.—(1) The treasurer shall prepare a copy of the list of lands annexed to the warrant and shall add thereto, in a separate column, a statement of the proportion of costs chargeable on each lot for advertising and for his commission or other lawful charges, distinguishing any of the lands which are unpatented or under lease or license of occupation from the Crown as “unpatented” or “under Crown lease” or “under Crown license,” as the case may be, and shall cause such list to be published as in this section provided.
- (2) The treasurer shall cause the list to be published once a month for three months immediately prior to the sale, in the *Ontario Gazette*, such publication to be made in the first issue of the *Ontario Gazette* for each of such three months, and in addition thereto he shall either cause the said list to be published once a month for three months immediately prior to the sale in some newspaper published in the county, or where the sale is to be made by a municipality other than a county, in some newspaper published in the municipality, such publication to be made in the first issue of the newspaper in each of such three months, or in lieu of publishing the said list in some newspaper the treasurer may publish the notice provided by subsection 3.
- (3) Where the treasurer, in lieu of publishing the list referred to in subsection 1 in some newspaper as provided by subsection 2, decides to publish the notice referred to in the said subsection 2, such notice shall be published in at least one newspaper published in the county, or where the sale is to be

Treasurer  
to prepare  
list of lands  
to be sold.

Publication  
of list.

Publication  
of notice  
of sale.

made by a municipality other than the county in some newspaper published in the municipality, once a week for thirteen weeks immediately prior to the sale, and such notice shall announce that the list of lands for sale for arrears of taxes has been prepared and that copies thereof may be had in the office of the treasurer and that the list will be published in the *Ontario Gazette* on the days specified in the notice, and that in default of payment of taxes the lands will be sold for taxes.

Publication  
in united  
counties.

- (4) In the case of a union of counties the list or notice which is to be published under the provisions of subsection 2 or 3 shall be published in some newspaper in each county of the union if there is a newspaper published in each county and, if not, in the county or counties of the union in which a newspaper is published.

Where no  
local  
newspaper

- (5) If in any county or municipality no newspaper is published the list or notice required to be published under the provisions of subsection 2 or 3 shall be published in some newspaper in an adjacent or neighbouring municipality.

Rev. Stat.,  
c. 238, s. 154  
re-enacted.

**12.** Section 154 of *The Assessment Act* is repealed and the following substituted therefor:

Notice  
to be  
posted up.

154. The treasurer of a county shall also post a printed copy of the list published in the newspaper in some convenient and public place at the court house of the county or district at least three weeks before the time of sale and the treasurer of a municipality other than a county shall also post a printed copy of such list in some convenient and public place at the place where the council of the municipality usually meets at least three weeks before the time of sale.

Commence-  
ment of Act.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 2.

## An Act respecting The Battle of Ridgeway Memorial Park.

*Assented to April 3rd, 1934.*

**W**HEREAS a plot of land comprising ten acres, more or less, at Ridgeway in the township of Bertie, in the County of Welland, being part of the site of the battlefield whereon was fought the battle of Ridgeway in the Fenian Raid invasion of 1866, acquired by Colonel Alexander Fraser, LL.D., Provincial Archivist, as trustee, for the purpose of a memorial park to commemorate the said battle, has by deed of gift dated the 15th day of January, 1933, been conveyed to the corporation of the said township to hold in perpetuity as a public park to be known as "The Battle of Ridgeway Memorial Park"; and whereas it is desirable and appropriate that the said deed of gift and the dedication of the said park be ratified and approved by the Legislature;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Battle of Ridgeway Memorial Park Act, 1934.* Short title.

**2.** The gift by Colonel Alexander Fraser, LL.D., Provincial Archivist, to the corporation of the township of Bertie by deed of gift dated the 15th day of January, 1933, of the land situate in the said township described in such deed, which is part of the battlefield whereon the battle of Ridgeway took place in 1866, and the dedication in perpetuity of the said lands as a public park to commemorate the said battle under the name of "The Battle of Ridgeway Memorial Park," are hereby ratified and confirmed. Deed of gift and dedication of Memorial Park ratified.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 3.

## An Act to amend The Children's Protection Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Children's Protection Act, 1934.*

Rev. Stat.,  
c. 279,  
amended.      **2.** *The Children's Protection Act* is amended by adding thereto the following section:

"Child,"  
meaning of.      **11a.** For the purposes of sections 10 and 11 "child" shall include a boy or a girl over the age of sixteen years of whom a children's aid society is the legal guardian under this Act.

Rev. Stat.,  
c. 279, s. 32,  
amended.      **3.** Section 32 of *The Children's Protection Act* as amended by section 3 of *The Children's Protection Amendment Act, 1931*, is further amended by adding thereto the following subsections:

Constitution  
and by-laws  
to be filed  
with  
Department.      **(3)** The constitution and by-laws of every children's aid society shall contain such provisions for the proper care, treatment and inspection of all children of which it is the legal guardian or which are in any way in its charge, as the regulations may prescribe, and a certified copy of the constitution and by-laws of a children's aid society shall be filed with the Department forthwith after the same are adopted and shall be subject to the approval of the Minister.

Duty of  
directors and  
members of  
executive  
committee.      **(4)** It shall be the duty of the directors or members of the executive committee of a children's aid society to ensure that the provisions of its constitution and by-laws for the proper care, treatment and inspection of all children of which it is the legal guardian or which are in any way in its charge, are observed, performed and carried out.

Power to  
dissolve  
society  
or dismiss  
officers.      **(5)** The Lieutenant-Governor in Council upon the recommendation of the Minister may at any time dissolve a children's aid society or without dissolving

the

the society may dismiss from office the board of directors or executive committee or any officer or officers thereof and direct, in case of such dismissal, the election or appointment as the case may be of a new board, committee or officer in its or his place.

4. This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent. <sup>ment of Act.</sup>

## CHAPTER 4.

## An Act to amend The Community Halls Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Community Halls Act, 1934.*

Rev. Stat.,  
c. 247,  
amended.      **2.** *The Community Halls Act* is amended by adding thereto the following section:

Disposal  
of hall.      **12.** Where under the provisions of this Act aid has been granted to assist in building a community hall or to assist in establishing or laying out an athletic field out of sums appropriated by the Legislature for such purpose, such hall or athletic field shall not be sold or disposed of within ten years from the time the aid was granted without the approval of the Minister.

Commence-  
ment of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 5.

## An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Ontario Loan Act, 1934*. Short title.

2. The Lieutenant-Governor in Council is hereby authorized to raise from time to time by way of loan such sum or sums of money as may be deemed expedient for any or all of the following purposes, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario and for the carrying on of the public works authorized by the Legislature; Provided that the principal amount of any securities issued and the amount of any temporary loans raised under the authority of this Act, including any securities issued for the retirement of the said securities or temporary loans, at any time outstanding, shall not exceed in the whole forty million dollars (\$40,000,000). Loan of \$40,000,000 authorized.

3. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon. Terms to be fixed by Lieutenant-Governor.

4. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act*. Sinking fund. Rev. Stat., c. 23.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 6.

## An Act to amend The Conveyancing and Law of Property Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Conveyancing and Law of Property Act, 1934.*

Rev. Stat.,  
c. 137,  
amended.      **2.** *The Conveyancing and Law of Property Act* is amended by adding thereto the following section:

Joint  
tenancy of  
corporation  
and an  
individual.

39c.—(1) A body corporate shall be and is declared to have been capable of acquiring and holding any real or personal property in joint tenancy in the same manner as if it were an individual; and where a body corporate and an individual, or two or more bodies corporate, became or become entitled to any such property under circumstances or by virtue of any instrument which would, if the body corporate had been an individual, have created a joint tenancy, they shall be and are declared to have been entitled to the property as joint tenants; provided that the acquisition and holding of property by a body corporate in joint tenancy have been and shall be subject to the like conditions and restrictions as attach to the acquisition and holding of property by a body corporate in severalty.

Devolution  
on dissolut-  
ion of  
corporate  
joint tenant.

(2) Where a body corporate is joint tenant of any property, on its dissolution the property shall devolve on the other joint tenant.

Commence-  
ment of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 7.

An Act to amend The Co-operative Marketing  
Loan Act, 1932.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Co-operative Marketing Loan Act, 1934.* Short title.

**2.** *The Co-operative Marketing Loan Act, 1932,* is amended 1932, c. 16, amended. by adding thereto the following section:

**16a.** The Lieutenant-Governor in Council is authorized on such terms as may be approved by Order-in-Council to agree to guarantee and to guarantee the payments of any loans, and interest thereon, made to a co-operative association, or an association to which the provisions of this Act are extended under the authority of section 3, and the form and manner of any such guarantee shall be such as the Lieutenant-Governor in Council may approve, and the guarantee shall be signed by the Minister or such other officer or officers as may be designated by the Lieutenant-Governor in Council, and upon being so signed the Province of Ontario shall become liable for the payment of the loan and interest thereon guaranteed according to the terms of the guarantee; and the Lieutenant-Governor in Council is hereby authorized to make arrangements for supplying the money necessary to fulfil the requirements of any guarantee and to advance the amount necessary for that purpose out of the public funds of the Province; and any guarantee so signed shall be conclusive evidence that the terms of this section have been complied with.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 8.

## An Act to amend The Crown Timber Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Crown Timber Act, 1934*.

Rev. Stat.,  
c. 38, s. 3,  
amended.

2. Section 3 of *The Crown Timber Act* as amended by section 2 of *The Crown Timber Act, 1928*, is further amended by adding thereto the following subsection:

Renewal  
of licenses.

(7) If the licensee is not in arrears to the Crown on account of dues, ground rent, fire protection charges or other charges, the Minister or any officer or agent authorized by him to do so, may renew the license or renewed license of such licensee for a further period of twelve months, and such renewal may be effected by attaching to the license or renewed license an endorsement providing for such renewal and such endorsement shall have indicated thereon any change which may have been made in the terms and conditions of the license.

Commence-  
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 9.

## An Act to amend The Dentistry Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Dentistry Act, 1934*.

Short title.

2. Subsection 3 of section 5 of *The Dentistry Act*, is amended by striking out the word and figure "Form 1" in the last line, so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 198, s. 5,  
subs. 3,  
amended.

(3) The votes at such election shall be given by closed voting papers.

How votes to  
be given.

3. Section 21 of *The Dentistry Act* as amended by section 4 of *The Dentistry Act, 1931*, is amended by adding thereto the following subsection:

Rev. Stat.,  
c. 198, s. 21,  
amended.

(1a) No person in pursuit of his business, trade or calling shall have in any place dental equipment of a character similar to that with which a place of business of a member of the Royal College of Dental Surgeons of Ontario is equipped, and which equipment would enable the person generally to practise dental surgery or perform dental operations, and the presence of such equipment in such place shall be *prima facie* evidence that the practice of dental surgery and the performance of dental operations is being carried on therein.

Dental  
equipment—  
restriction  
as to use  
of by un-  
qualified  
person.

4. Subsection 3 of section 23 of *The Dentistry Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 198, s. 23,  
subs. 3, re-  
enacted.

(3) The Board or the executive committee of its own motion may, or, upon the application in writing of four members of the College, the president shall instruct the discipline committee to inquire into any case in which it is alleged that a member of the

Inquiry as to  
suspension  
or cancel-  
lation of  
certificate.

College has become liable to the suspension or cancellation of his certificate of license for any of the causes mentioned in subsection 1.

Rev. Stat.,  
c. 198, s. 25,  
amended.

5. Section 25 of *The Dentistry Act* is amended by striking out the words "a divisional court" in the last line and inserting in lieu thereof the words "the Court of Appeal for Ontario," so that the said section shall now read as follows:

No action to  
lie against  
Board or  
committee.

25. No action shall be brought against the Board or the committee or any member thereof for anything done in good faith under this Act on account of any want of form or irregularity in their proceedings, but a member whose certificate of license has been suspended or cancelled may, at any time within one month from the date of the decision of the Board, appeal from the decision of the Board to the Court of Appeal for Ontario.

Appeal from  
decision of  
Board.

Rev. Stat.,  
c. 198,  
Sched. "A,"  
Form 1,  
repealed.

6. Form 1 of schedule "A" to *The Dentistry Act* is repealed.

Commence-  
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 10.

An Act to amend The Deserted Wives' and  
Children's Maintenance Act.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Deserted Wives' and Children's Maintenance Act, 1934.* Short title.

**2.—(1)** Subsection 1 of section 1 of *The Deserted Wives' and Children's Maintenance Act* is amended by striking out the words and figures "not exceeding \$20" in the eleventh and twelfth lines so that the said subsection shall now read as follows: Rev. Stat., c. 184, s. 1, subs. 1, amended.

- (1) Where a wife has been deserted by her husband an information may be laid before a police magistrate having jurisdiction where the parties last resided together or where her husband then resides, who shall issue a summons against the husband in accordance with the form in the schedule to this Act and if upon the hearing it appears that the husband has deserted his wife without having made adequate provision for her maintenance and the maintenance of any of his children residing with her and that he is able to maintain them in whole or in part and he neglects or refuses so to do, the magistrate may order him to pay such weekly sum as may be deemed proper, having regard to all the circumstances of the case and such order may be in the form given in the schedule to this Act. Order for maintenance of wife.

(2) Subsection 2 of the said section 1 is amended by adding thereto the words "or because the husband has been guilty of adultery which is duly proved and which has not been condoned," so that the said subsection shall now read as follows: Rev. Stat., c. 184, s. 1, subs. 2, amended.

- (2) A married woman shall be deemed to have been deserted within the meaning of this section when she Desertion of wife.

is living apart from her husband because of his acts of cruelty, or of his refusal or neglect, without sufficient cause, to supply her with food and other necessities when able so to do, or because the husband has been guilty of adultery which is duly proved and which has not been condoned.

Rev. Stat.,  
c. 184, s. 2,  
subs. 1,  
amended.

3. Subsection 1 of section 2 of *The Deserted Wives' and Children's Maintenance Act* is amended by striking out the words and figures "not exceeding \$20" in the sixth and seventh lines, so that the said subsection shall now read as follows:

Order for  
maintenance  
of child.

- (1) A father who has deserted his child may be summoned before a police magistrate or a judge of a juvenile court having jurisdiction where the father or the child then resides, who, if satisfied that such father has wilfully refused or neglected to maintain the child and has deserted the child, may order that the father shall pay such weekly sum, with or without costs, as may by order be directed to the person named in the order for the support of such child, as the magistrate or the judge may consider proper, having regard to the means of the father and to any means the child may have for his support.

Commence-  
ment of Act.

4. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 11.

## An Act to amend The Ditches and Watercourses Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Ditches and Watercourses Act*, 1934. Short title.

**2.** Subsection 2 of section 5 of *The Ditches and Watercourses Act* is amended by striking out the figures "\$1,500" in the third line and inserting in lieu thereof the figures "\$2,500," so that the said subsection shall now read as follows: Rev. Stat., c. 316, s. 5, subs. 2, amended.

(2) No ditch, the whole cost of which, according to the estimate of the engineer or the agreement of the parties, will exceed \$2,500 shall be constructed under the provisions of this Act. Limit of cost.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 12.

## An Act to amend The Division Courts Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Division Courts Act, 1934*.

Rev. Stat.,  
c. 95, s. 154,  
subs. 1,  
amended.

2. Subsection 1 of section 154 of *The Division Courts Act* is amended by adding after the word "claim" in the fifth line the words "and where there is more than one claim decide upon the priority in which the several claims are entitled to rank on the said debt," so that the subsection shall now read as follows:

Case of  
adverse  
claims.

(1) Where a person other than the primary creditor or primary debtor claims to be entitled to the debt owing or accruing from the garnishee or any part thereof by assignment or otherwise, the judge, after notice to all persons interested, may enquire into and decide upon the claim, and where there is more than one claim decide upon the priority in which the several claims are entitled to rank on the said debt as the justice of the case may require.

Commence-  
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 13.

An Act to amend The Dog Tax and Sheep  
Protection Act.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** This Act may be cited as *The Dog Tax and Sheep Protection Act, 1934.* Short title.

**2.** *The Dog Tax and Sheep Protection Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 300,  
amended.

**14.** Where in territory without municipal organization sheep have been killed or injured by a dog, the owner of the dog shall be liable to the owner of the sheep for the amount of the damage sustained, and it shall not be necessary in any action to recover such damages to prove that the dog was vicious or accustomed to worry sheep. Liability  
of owner in  
unorganized  
territory.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 14.

## An Act to amend The Election Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Election Act, 1934*.

Rev. Stat.,  
c. 8, s. 18,  
par. 1, cl. e  
(1933,  
c. 13, s. 2),  
re-enacted  
and cl. f  
added.

2. Clause *e* of paragraph 1 of section 18 of *The Election Act* as enacted by section 2 of *The Election Act, 1933*, is repealed and the following clauses substituted therefor:

(e) in the case of a city, separated town or township to which Part IIIA of *The Voters' Lists Act* applies, is ordinarily resident in such city, separated town or township at the date of the issue of the writ of election; or

(f) in the case of an electoral district to which Part IIIA of *The Voters' Lists Act* does not apply, is and has been ordinarily resident in such electoral district for a period of two months next preceding the day of polling.

Rev. Stat.,  
c. 8, s. 75,  
amended.

3. Section 75 of *The Election Act* is amended by inserting the following words at the beginning of the section "Subject to the provisions of subsection 8 of section 74," so that the said section shall now read as follows:

Certificate  
of clerk of  
the peace.

75. Subject to the provisions of subsection 8 of section 74, the clerk of the peace shall add to each polling list a certificate that it contains the names of all persons appearing according to the proper voters' list to be entitled to vote at the election in that polling subdivision or at that polling place and no other names.

Rev. Stat.,  
c. 8, s. 86,  
subs. 2,  
re-enacted.

4.—(1) Subsection 2 of section 86 of *The Election Act* is repealed and the following substituted therefor:

(2)

- (2) For the purpose of enabling such railway employees, sailors and travellers to vote, polls shall be held and kept open from eight o'clock in the forenoon until five o'clock in the afternoon, and from seven o'clock in the afternoon until ten o'clock in the afternoon on the two days immediately preceding that on which the poll is held. When polls to be open.

(2) Subsection 4 of the said section 86 as amended by section 11 of *The Election Act, 1929*, is repealed and the following substituted therefor: Rev. Stat., c. 8, s. 86, subs. 4, re-enacted.

- (4) Notice of the times and places at which polls shall be opened (Form 20a) shall, prior to the day so fixed for holding the poll, be given by the returning officer by posting up notices at each of the polling places so appointed, and in a conspicuous place in the municipality, and where possible, by advertisement in a newspaper published in the electoral district or municipality. Notice of polls.

5. Subsection 3 of section 165 of *The Election Act* is amended by adding after the word "include" in the second line the words "an automobile" so that the said subsection shall now read as follows: Rev. Stat., c. 8, s. 165, subs. 3, amended.

- (3) "Conveyance" for the purposes of this section shall include an automobile, a horse, team, carriage, cab, vehicle, boat or vessel. Hiring teams, etc.

6. Form 20a of schedule "A" to *The Election Act*, as enacted by section 15 of *The Election Act, 1929*, is repealed and the following substituted therefor: Rev. Stat., c. 8, Form 20a (1929, c. 5, s. 15), re-enacted.

#### FORM 20a

(Referred to in Section 86 (4))

#### NOTICE OF HOLDING AN ADVANCE POLL (OR POLLS) FOR RAILWAY EMPLOYEES, SAILORS AND TRAVELLERS

Electoral District of.....

Notice is hereby given that pursuant to the provisions of *The Election Act* (section 86) a poll will be opened on..... the..... days of....., from eight o'clock in the forenoon until five o'clock in the afternoon, and from seven o'clock in the afternoon until ten o'clock in the afternoon.

The polling place for the Electoral District of..... will be located at..... for the purpose of receiving the votes of railway employees, sailors and travellers whose employment is such as to necessitate their absence from time to time from their ordinary place of residence, or who have reason to believe that they will be absent upon the day fixed for the election.

The

The ballot box will be opened and the votes counted at  
 .....o'clock in the.....of.....  
 the.....day of.....at the said place.

Dated at.....this.....day of....., 19 .

.....  
*Returning Officer.*

Commence-  
 ment of Act.

7. This Act shall come into force on the day upon which  
 it receives the Royal Assent.

## CHAPTER 15.

An Act to amend The Factory, Shop and Office  
Building Act, 1932.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Factory, Shop and Office Building Act, 1934*. Short title.

2. Section 71 of *The Factory, Shop and Office Building Act, 1932*, is repealed and the following substituted therefor: 1932,  
c. 35, s. 71,  
re-enacted.

- 71.—(1) Except with the written permission of the inspector, no person shall require, permit or suffer adult male employees to work in any bakeshop for more than fifty-six hours in any calendar week and a copy of such permission shall be posted up in a conspicuous place in the bakeshop; provided, however, that permission shall not be required for overtime work on the Friday of any week where a statutory or civic holiday occurs on the following Monday. Hours of labour in bakeshops not more than 56 per week except by written permission of inspector.
- (2) No person shall require, permit or suffer any adult male employee to work in any bakeshop on Sunday between the hours of seven in the forenoon and one o'clock in the afternoon except for the purpose of performing preliminary work, including kindling of fires, fermentation process, preparation of doughs and sponges necessary for the scaling and baking of bread. Employment in bakeshops prohibited between 7 a.m. and 1 p.m. on Sunday except on preliminary work.
- (3) Subsection 2 shall not apply to employees whose daily period of employment does not exceed eight hours between seven o'clock in the forenoon and six o'clock in the afternoon and who regularly receive at least twenty-four consecutive hours' rest period during each calendar week. Exceptions as to Sunday work.

24 consecu-  
tive hours  
of rest.

- (4) Every employee who works for more than nine hours during any one work period or during any twenty-four consecutive hours, except in any case covered by a special permit, shall be given at least twenty-four consecutive hours' rest period before commencing the next daily work period.

1932,  
c. 35, s. 81,  
subs. 1,  
re-enacted.

3. Subsection 1 of sect on 81 of *The Factory, Shop and Office Building Act, 1932*, is repealed and the following substituted therefor:

Recovery of  
penalties.

- (1) Save where otherwise provided, the penalties imposed by or under this Act shall be recoverable under *The Summary Convictions Act*.

Rev. Stat.,  
c. 121.

1932,  
c. 35, s. 82,  
repealed.

4. Section 82 of *The Factory, Shop and Office Building Act, 1932*, is repealed.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 16.

## The Federal District Commission Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Federal District Commission Act, 1934.* Short title.

**2.** The councils of the corporations of the city of Ottawa, the county of Carleton, the county of Russell and of any municipality in either of the said counties or of any of them may, with the approval of the Ontario Municipal Board first obtained, convey to The Federal District Commission for a real or nominal consideration any highway, square, street, avenue, drive, thoroughfare or bridge, or interest therein, vested in the municipality upon such terms and subject to such conditions as may be agreed upon between the council and the said Commission.

**3.** The corporation of any municipality in which land vested in the said Commission is situate or which lies within three miles of any such land may enter into agreements with the said Commission for the undertaking by the corporation in, upon, under, through, across or along any such land of any work of any of the characters or descriptions mentioned in *The Local Improvement Act* and any such agreement may provide for the maintenance, repair and renewal of any work so undertaken.

**4.** Any work undertaken by the corporation of a municipality pursuant to any agreement entered into with the said Commission under section 3 may by the corporation be undertaken as a local improvement under the provisions of *The Local Improvement Act* and in accordance with the provisions thereof, notwithstanding that the land wherein, whereon or whereunder the same is undertaken is not a street or land vested in such corporation or that the council thereof has limited or no jurisdiction or control thereover.

Liability of  
municipality  
for actions.

5. Every agreement entered into under this Act may provide that the corporation of the municipality entering into the same shall solely be responsible for any injury, loss or damage resulting from or by reason of the undertaking, execution or existence of any work undertaken pursuant to such agreement during the time of its construction and after its completion or from non-repair of the same, and for all claims, demands, actions, suits, proceedings, costs and damages resulting therefrom.

Assent of  
electors not  
requisite.

6. It shall not be necessary that any agreement entered into hereunder or any by-law authorizing such agreement be submitted to or receive the assent of the electors of the municipality, the corporation of which enters into the agreement.

Rev. Stat.,  
c. 233,  
ss. 483, 484  
and 486 not  
to apply.

7. Sections 483, 484 and 486 of *The Municipal Act* shall not apply with respect to any highway conveyed to the said Commission under the authority of this Act.

Rev. Stat.,  
c. 233, s.  
494, to apply.

8. Section 494 of *The Municipal Act* shall apply to enable the council of any of the municipalities mentioned in section 2 to grant aid to the said Commission for any of the purposes mentioned in the said section.

Validity of  
conveyances  
and  
agreements.

9. Any conveyance made and agreement entered into pursuant to the authority of this Act shall be legal, valid and binding upon the corporation of the municipality entering into the same and the ratepayers thereof, and shall not be open to question in any court.

Commence-  
ment of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 17.

## An Act to amend The Forest Fires Prevention Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Forest Fires Prevention Act, 1934.* Short title.

**2.—**(1) Subsection 1 of section 23 of *The Forest Fires Prevention Act* is amended by inserting after the word "line" in the second line the word "railway." 1930, c. 60, s. 23, subs. 1, amended.

(2) Subsection 2 of the said section 23 is amended by inserting after the word "shall" in the third line the words "at the request of any officer of the Department," so that the said subsection shall now read as follows: 1930, c. 60, s. 23, subs. 2, amended.

(2) Any person who within three hundred feet of the right-of-way of any railway causes any accumulation of inflammable debris shall, at the request of any officer of the Department, immediately pile and, subject to the requirements of this Act concerning permits, burn the same. Clearing away inflammable matter near right-of-way.

**3.** Section 24 of *The Forest Fires Prevention Act* is amended by adding thereto the following subsection: 1930, c. 60, s. 24, amended.

(8) The Provincial Forester may refuse to issue a permit under this section to any person, firm or corporation convicted of an offence under this section until such time as the said person, firm or corporation has furnished the Department with a bond in such amount and subject to such conditions as may be satisfactory to the Provincial Forester. Right to refuse permit until bond furnished.

**4.** Section 29 of *The Forest Fires Prevention Act* is amended by adding at the end thereof the words "and in addition shall be liable for the expense incurred by the Department in 1930, c. 60, s. 29, amended.

endeavouring

endeavouring to control or extinguish any fire caused by or resulting from such disobedience, refusal or neglect."

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 18.

## An Act to amend The Fruit Act, 1933.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Fruit Act, 1934*. Short title.
2. Section 2 of *The Fruit Act, 1933*, is amended by inserting <sup>1933, c. 18,</sup> after the word "Act" in the first line the words "and of *The* <sup>s. 2,</sup> amended. *Root Vegetables Act*."
3. Section 3 of *The Fruit Act, 1933*, is repealed and the <sup>1933, c. 18,</sup> following substituted therefor: s. 3, re-enacted.
  3. The Lieutenant-Governor in Council may by proclamation declare all or any amendments hereafter made <sup>Dominion amendments, regulations or new Act to come into force on proclamation.</sup> to the said Acts or either of them and all or any of the provisions of any Act of the Parliament of Canada which may be substituted for the said Acts or either of them, and all or any regulations heretofore or hereafter made under the said Acts or either of them or amendments thereto, or Act passed in substitution therefor or for either of them so far as the same are within the legislative competence of this Legislature to have the force of law in the Province of Ontario, as if enacted by this Legislature, and unless and until otherwise enacted by this Legislature such amendments, Act or Acts by way of substitution or regulations as are so proclaimed shall be and remain in full force and effect in this Province.
4. Section 4 of *The Fruit Act, 1933*, is amended by striking <sup>1933, c. 18,</sup> out the word "Act" in the third line and inserting in lieu <sup>s. 4,</sup> amended. thereof the word "Acts."
5. Section 5 of *The Fruit Act, 1933*, is amended by adding <sup>1933, c. 18,</sup> thereto the following subsection: s. 5, amended.

When  
Ontario  
permit un-  
necessary.

- (5) A commission agent who under *The Fruit Act* (Canada) is licensed to carry on his business in Ontario or elsewhere in Canada shall not be required to obtain a permit under this section.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 19.

## An Act to amend The Game and Fisheries Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Game and Fisheries Act*, Short title.  
1934.

**2.**—(1) The clause lettered *cc* in section 7 of *The Game and Fisheries Act* as re-enacted by section 4 of *The Game and Fisheries Act, 1930*, is amended by striking out the words “or moose” in the first and fifth lines thereof.

Rev. Stat.,  
c. 318, s. 7,  
cl. *cc*, (1930,  
c. 62, s. 4),  
amended.

Deer only  
south of  
French and  
Mattawa  
Rivers,—  
open season.

(2) The said section 7 is further amended by adding thereto the following clause:

Rev. Stat.,  
c. 318, s. 7,  
amended.

(i) any moose in that part of Ontario lying south of the French and Mattawa Rivers.

Moose, south  
of French  
and Mattawa  
Rivers  
protected.

**3.** Subsection 2 of section 9 of *The Game and Fisheries Act* as amended by section 3 of *The Game and Fisheries Act, 1929*, is repealed and the following substituted therefor:

Rev. Stat.,  
c. 318, s. 9,  
subs. 2, re-  
enacted.

(2) It shall be unlawful for any person to hunt, take, kill or have in possession the carcass, skin or any part of any muskrat in that part of the Province lying north of the French and Mattawa Rivers, except from the 1st day of April to the 21st day of May, and in that part of the Province lying south of the French and Mattawa Rivers, except during such periods and on such terms and conditions as may be prescribed by the Lieutenant-Governor in Council.

Muskrat,—  
open season.

**4.** Subsection 6 of section 19 of *The Game and Fisheries Act*, as enacted by section 5 of *The Game and Fisheries Act, 1929*, and amended by section 8 of *The Game and Fisheries Act, 1932*, is further amended by adding thereto the words “and such licensee shall also wear in a conspicuous place any badge which may be furnished by the Department at the time of issue of

Rev. Stat.,  
c. 318, s. 19,  
subs. 6  
(1929, c. 82,  
s. 5),  
amended.

Badges to  
be worn.

such

such license, and any license with which at the time of the issue a badge was furnished shall not be valid unless the licensee is wearing the badge as required by this subsection."

Rev. Stat.,  
c. 318, s. 20,  
cl. a., re-  
enacted.

5. The clause lettered *a* in section 20 of *The Game and Fisheries Act* is repealed and the following substituted therefor:

Hunting  
licenses,—  
non-resident.

(a) to non-residents and the fees and licenses shall be,—

\$15—for license to hunt and shoot game birds and rabbits, together with a fee of fifty cents for the issuing of same;

\$25—for license to hunt and shoot deer, bear, game birds and rabbits, together with a fee of seventy-five cents for the issuing of same;

\$40—for license to hunt and shoot moose, deer, bear, game birds and rabbits, together with a fee of one dollar for the issuing of same.

Rev. Stat.,  
c. 318, s. 34,  
subs. 3,  
amended.  
Duck  
shooting,—  
blinds and  
decoys—  
Burlington  
Bay.

6.—(1) Subsection 3 of section 34 of *The Game and Fisheries Act* is amended by inserting after the word "property" in the fifth line, the words "provided that in Burlington Bay at the western extremity of Lake Ontario, such blinds shall be placed only on the shore and such decoys shall not be placed at a greater distance than fifty yards from the shore or from such rush bed or water line."

Rev. Stat.,  
c. 318, s. 34,  
subs. 6  
(1933, c. 19,  
s. 14, subs. 3),  
amended.

Authority to  
propagate,  
etc., game  
birds.

(2) Subsection 6 of the said section 34 as enacted by subsection 3 of section 14 of *The Game and Fisheries Act, 1933*, is amended by striking out the word "pheasants" in the third line and inserting in lieu thereof the words "any birds referred to in this section."

Rev. Stat.,  
c. 318, s. 64,  
subs. 2,  
amended.  
Penalty as  
to wapiti.

7. Subsection 2 of section 64 of *The Game and Fisheries Act* is amended by inserting after the word "moose" in the second line the words "wapiti (North American elk)."

Commence-  
ment of Act.

8. This Act shall come into force on the 1st day of June 1934.

## CHAPTER 20.

## An Act respecting the Handling of Gasoline.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Gasoline Handling Act*, Short title. 1934.

**2.** In this Act,—

Inter-  
pretation.

- (a) "Department" shall mean the Department of Highways for Ontario; "Department."
- (b) "Gasoline" shall mean the liquid derived from petroleum or natural gas commonly known or sold as gasoline, benzol and all other liquids by whatever name known or sold, containing any derivative of petroleum or natural gas and produced, prepared or compounded for the purpose of generating power by means of internal combustion or which may be used for such purpose, except the product commonly known as kerosene oil; "Gasoline."
- (c) "Minister" shall mean Minister of Highways; "Minister."
- (d) "Motor vehicle" shall mean motor vehicle as defined by *The Highway Traffic Act*; "Motor vehicle."
- (e) "Person" shall be deemed to include a firm, partnership, corporation, club, association and syndicate. "Person."

**3.** No person may sell gasoline in Ontario for use in motor vehicles unless licensed so to do by the Department but for which license no fee shall be payable. License to sell gasoline.

**4.** The Department, with the approval of the Minister, may refuse to grant a license to any person and may revoke or suspend any license issued by it under this Act. Refusing and revoking license.

Returns as  
to sale, etc.,  
of gasoline.

5. Every person who in Ontario during any calendar month, has manufactured gasoline, or has imported gasoline into Ontario, or usually manufactures or imports gasoline, shall within ten days immediately following the end of such calendar month furnish to the Department a return in such form as may be prescribed by the regulations.

Information  
to be given  
in returns.

6. When gasoline is shipped from a place out of Ontario to a place therein, by means of a carrier, the person receiving such gasoline in Ontario must obtain and retain the bill of lading issued for such shipment and show it to the inspector on his request; provided, however, that the inspection be made within two years from the receiving of gasoline; and when such shipment is made by means of a conveyance belonging to or controlled by the shipper or by the consignee, the person receiving such gasoline in Ontario shall indicate in his return to the Department the means of conveyance, the points of shipment and destination, and if the shipment is made by water, the name of the vessel in which it is made.

Returns  
as to  
importa-  
tions.

7. Every person who during any calendar month transports gasoline from a place out of Ontario into Ontario shall within ten days immediately following the end of such calendar month furnish to the Department a return in such form as may be prescribed by the regulations showing the quantity of gasoline so transported and the name of the person to whom it is delivered in Ontario.

Installation  
of  
mechanical  
appliances in  
refineries.

8. In order to verify the quantities of oil acquired by manufacturers of gasoline and the quantities of gasoline manufactured, acquired or sold by them, and the quantities of gasoline which they have on hand, the Department may require any such manufacturer to instal at his own cost, automatic meters or other apparatus approved by the Department, and the use of such meters or other apparatus shall be subject to the control of the Department which may also for the said purposes, at any time, require the use of such other means or other methods as it may deem advisable.

Exception  
as to  
shipments  
through  
Ontario.

9. No provision of this Act shall be interpreted as forbidding the continuous transportation of gasoline with or without trans-shipment, through Ontario, from a place out of Ontario to any other place also out of Ontario; provided that the transportation of any gasoline without a bill of lading evidencing shipment from a place out of Ontario to any other place also out of Ontario, shall create a *prima facie* presumption that such gasoline is intended for delivery within Ontario.

Inspection.

10. Every officer of the Department having general charge of the carrying out of this Act and of the regulations, and every inspector and any other person specially authorized by the

Minister

Minister to such effect, may without permission, enter at any reasonable hour any premises of a manufacturer, importer or vendor of gasoline, and may examine all his books and records and make such enquiries and measurements as may in his opinion be necessary to assure himself that the provisions of this Act and of the regulations are being observed.

**11.** Every person contravening any of the provisions of this Act or the regulations shall be guilty of an offence and shall be liable upon conviction thereof to a penalty of not less than \$5 nor more than \$100 for a first offence, and to a penalty of not less than \$100 nor more than \$1,000 for a second or subsequent offence, recoverable under *The Summary Convictions Act*. Penalty.  
Rev. Stat.,  
c. 121.

**12.** In addition to any other remedies given by this Act, in the case of any person selling gasoline for use in motor vehicles without having a subsisting license under this Act, any person acting under the authority and instructions of the Minister may close the place or places of business of such person and prevent any sale of gasoline by him until he has complied with the provisions of this Act and the regulations. Power to  
close  
premises for  
contraven-  
tion of Act.

**13.** The Lieutenant-Governor in Council may upon the recommendation of the Minister make regulations,— Regulations.

- (a) providing for the appointment of such inspectors, officers and other persons as may be necessary for the proper carrying out of the provisions of this Act and the regulations;
- (b) prescribing the form of returns to be furnished under this Act and the information to be given by such returns and by whom and in what manner they shall be made;
- (c) exempting any persons and classes of persons from the operation of or compliance with this Act;
- (d) generally for the better carrying out of the provisions of this Act.

## CHAPTER 21.

## An Act to amend The Highway Traffic Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Highway Traffic Act, 1934*.

Rev. Stat.,  
c. 251, s. 9,  
subs. 10,  
amended.      **2.** Subsection 10 of section 9 of *The Highway Traffic Act* is amended by striking out the word "twenty-one" in the second line and inserting in lieu thereof the word "thirty-two," so that the said subsection shall now read as follows:

Lighting  
devices.      (10) It shall be unlawful to carry on a motor vehicle any lighting device of over thirty-two mean spherical candle power.

Rev. Stat.,  
c. 251, s. 15,  
amended.      **3.** Section 15 of *The Highway Traffic Act* as amended by section 3 of *The Highway Traffic Amendment Act, 1929*, and section 4 of *The Highway Traffic Act, 1932*, is further amended by adding thereto the following subsection:

Trailers.      (2a) No motor vehicle shall be operated with a trailer or trailers unless such trailer or trailers each have two separate means of attachment so constructed and attached that the failure of one of such means will not permit the trailer to become detached; provided that this subsection shall not apply to a trailer so designed and used that part of its own weight and of its own load rests upon or is carried by another vehicle.

Rev. Stat.,  
c. 251, s. 29,  
subs. 2, cl. a,  
(1929, c. 68,  
s. 6),  
amended.      **4.** Clause *a* of subsection 2 of section 29 of *The Highway Traffic Act* as re-enacted by section 6 of *The Highway Traffic Amendment Act, 1929*, is amended by inserting after the word "apart" in the third line the words "and of a public vehicle," so that the said clause shall now read as follows:

(a) The gross weight of a vehicle of four wheels with two driving axles spaced more than 8 feet apart and of a public

public vehicle shall not exceed 24,000 pounds and the weight upon one axle shall not exceed 15,000 pounds.

5. Section 31 of *The Highway Traffic Act* as amended by Rev. Stat., c. 251, s. 31, amended. section 6 of *The Highway Traffic Amendment Act, 1930 (No. 2)* is further amended by adding thereto the following subsection:

(1a) The permit issued for every commercial motor vehicle and for every trailer drawn by it shall whenever such vehicle is on a highway be carried by the driver thereof, or be placed in some readily accessible position in the vehicle and shall be produced when demanded by a police constable or an officer appointed for carrying out the provisions of this Act or *The Public Commercial Vehicle Act*. Production of permit. Rev. Stat., c. 253.

6.—(1) Subsection 2 of section 31 of *The Highway Traffic Act* as re-enacted by section 6 of *The Highway Traffic Amendment Act, 1930 (No. 2)*, is amended by striking out the words “any highway” in the third line and inserting in lieu thereof the words “any of the King’s Highways to which the provisions of this subsection are declared to be applicable by the Lieutenant-Governor in Council, or upon any other highway,” so that the first paragraph of the said subsection shall now read as follows: Rev. Stat., c. 251, s. 31, subs. 2 (1930, c. 48, s. 6), amended.

(2) During the months of March and April commercial motor vehicles and trailers, other than public vehicles, operated over or upon any of the King’s Highways to which the provisions of this subsection are declared to be applicable by the Lieutenant-Governor in Council, or upon any other highway not within a city or separated town, shall not be loaded in excess of the limits prescribed hereunder without obtaining a permit as provided by section 30. Weight of load during March and April.

(2) Subsection 3 of the said section 31 is amended by striking out the words “any highway” in the third line and inserting in lieu thereof the words “any of the King’s Highways to which the provisions of this subsection are declared to be applicable by the Lieutenant-Governor in Council, or upon any other highway,” so that the said subsection shall now read as follows: Rev. Stat., c. 251, s. 31, subs. 3, amended.

(3) During the months of March and April, a vehicle other than a motor vehicle or trailer, operated over or upon any of the King’s Highways to which the provisions of this subsection are declared to be applicable by the Lieutenant-Governor in Council, or upon any other highway not within a city or separated town, and having a carrying capacity

exceeding

exceeding one ton shall not be loaded in excess of two hundred and fifty pounds upon any inch in width of tire without obtaining a permit as provided by section 30.

Rev. Stat.,  
c. 251, s. 34,  
subs. 1  
(1930,  
c. 48, s. 7,  
subs. 1),  
amended.

7. Subsection 1 of section 34 of *The Highway Traffic Act* as re-enacted by subsection 1 of section 7 of *The Highway Traffic Amendment Act, 1930* (No. 2), and amended by section 9 of *The Highway Traffic Amendment Act, 1931*, is further amended by striking out the words "and shall also have attached to both sides of the body a sign issued by the Department showing the gross weight allowed under the permit issued for the vehicle" in the fourth, fifth, sixth and seventh lines, and by striking out the words "any or all of" in the amendment made to the said subsection by *The Highway Traffic Amendment Act, 1931*, so that the said subsection shall now read as follows:

Name, etc.,  
of owner  
to be  
displayed  
on vehicle.

- (1) Every commercial motor vehicle and every trailer drawn by it shall have attached to or painted on both sides of the body in a clearly visible position a sign showing the name and address of the owner, provided that the Department may by regulation designate any vehicle or classes of vehicles to which the provisions of this subsection shall not apply.

Rev. Stat.,  
c. 251, s. 35a  
(1931,  
c. 54, s. 11),  
amended.

8. Subsection 3 of section 35a of *The Highway Traffic Act* as enacted by section 11 of *The Highway Traffic Amendment Act, 1931*, is amended by adding thereto the following words:

"Provided however, that in such cases the person in charge of such disabled vehicle, if a commercial motor vehicle, shall, if the lights required under section 9 of this Act are not functioning, place a lighted lamp or flare, visible for a distance of at least two hundred feet from the front and from the rear of the disabled vehicle, in such a position as to indicate the location of the disabled vehicle."

Rev. Stat.,  
c. 251, s. 72,  
subs. 1,  
cl. e  
(1930,  
c. 47, s. 6),  
amended.

9. Clause *e* of subsection 1 of section 72 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by adding at the end thereof the words "if involved in an accident in which any injury to any person or damage to any property occurs," so that the said clause shall now read as follows:

Driving  
without a  
license.

- (e) Driving a motor vehicle on a highway without holding a driver's license required by this Act if involved in an accident in which any injury to any person or damage to any property occurs.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent and the provisions of section 9 shall apply and be construed as if the same had taken effect on and from the 1st day of September, 1930.

Commence-  
ment of Act.  
Application  
of s. 9.

## CHAPTER 22.

## An Act to amend The Insurance Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      1. This Act may be cited as *The Insurance Act, 1934*.

Rev. Stat.,  
c. 222, s. 1,  
re-enacted.      2. Section 1 of *The Insurance Act* as amended by section 2 of *The Insurance Act, 1928*, by section 2 of *The Insurance Act, 1929*, by section 2 of *The Insurance Act, 1931*, and by section 2 of *The Insurance Act, 1932*, is repealed and the following substituted therefor:

Interpre-  
tation.      1. In this Act, except where inconsistent with the interpretation sections of any Part,

"Accident  
insurance."      1. "Accident insurance" means insurance by which the insurer undertakes to pay insurance money in the event of accident to the person or persons insured;

"Adjuster."      2. "Adjuster" means a person who, for compensation, not being a barrister or solicitor acting in the usual course of his profession or not being a trustee or an agent of the property insured, directly or indirectly solicits the right to negotiate the settlement of a loss under a fire or automobile insurance policy on behalf of the insured or the insurer, or holds himself out as an adjuster, investigator, consultant, or otherwise as an adviser with respect to losses under fire or automobile insurance policies, or holds himself out as prepared or able to effect settlement of any such losses;

"Agent."      3. "Agent" means a person who, for compensation, not being a duly licensed insurance broker or not being a person acting under the authority of subsection 14 or 15 of section 256, solicits insurance on behalf of any insurer or trans-

mits,

mits, for a person other than himself, an application for or a policy of insurance to or from such insurer or offers or assumes to act in the negotiation of such insurance or in negotiating its continuance or renewal;

4. "Aircraft insurance" means insurance against loss of or damage to an aircraft and against liability for loss or damage to persons or property caused by an aircraft or by the operation thereof; <sup>"Aircraft insurance."</sup>
5. "Appeal" includes a judicial revision or review of a judgment, decision, order, direction, determination, finding or conviction, and a case stated or reserved, and a removal of proceedings by way of *certiorari* or otherwise; <sup>"Appeal."</sup>
6. "Automobile" includes all self-propelled vehicles, their trailers, accessories and equipment, but not railway rolling stock, watercraft or aircraft of any kind; <sup>"Auto-mobile."</sup>
7. "Automobile Insurance" means insurance against liability for loss or damage to persons or property caused by an automobile or the use or operation thereof, and against loss of or damage to an automobile; <sup>"Auto-mobile insurance."</sup>
8. "Beneficiary" means a person designated or appointed as one to whom or for whose benefit insurance money is to be payable; <sup>"Beneficiary."</sup>
9. "Boiler and machinery insurance" means insurance against loss or damage to property and against liability for loss or damage to persons or property through the explosion, collapse, rupture or breakdown of, or accident to, boilers or machinery of any kind; <sup>"Boiler and machinery insurance."</sup>
10. "Broker" means a person who, for compensation, not being a licensed agent or not being a person acting under the authority of subsection 14 or 15 of section 256, acts or aids in any manner in negotiating contracts of insurance or placing risks or effecting insurance or in negotiating the continuance or renewal of such contracts for a person other than himself; <sup>"Broker."</sup>

"Cash mutual corporation."

11. "Cash-mutual corporation" means a corporation without share capital or with guarantee capital stock subject to repayment by the corporation, in respect of which the dividend rate is limited by its Act or instrument of incorporation, which is empowered to undertake insurance on both the cash plan and the mutual plan;

"Chief Agency."

12. "Chief agency" means the principal office or place of business in Ontario of any licensed insurer having its head office out of Ontario;

"Contract."

13. "Contract" means a contract of insurance and includes a policy, certificate, interim receipt, renewal receipt, or writing evidencing the contract, whether sealed or not, and a binding oral agreement;

"Credit insurance."

14. "Credit insurance" means insurance against loss to the insured through the insolvency or default of a person to whom credit is given in respect of goods, wares or merchandise;

"Department."

15. "Department" means the Department of Insurance of Ontario;

"Disability insurance."

16. "Disability insurance" means insurance undertaken by an insurer as part of a life insurance contract whereby the terms of the policy provide for the duration of such insurance for more than one year and for the payment of insurance money or the granting of benefits in the event that the insured becomes disabled as a result of bodily injury or disease;

"Double indemnity insurance."

17. "Double indemnity insurance" means insurance undertaken by an insurer as part of a life insurance contract whereby the terms of the policy provide for the duration of such insurance for more than one year and for payment only in the event of the death of the insured by accident of an additional amount of insurance money not exceeding the amount payable in the event of death from other causes;

"Due application."

18. "Due application" includes such information, evidence and material as the Superintendent requires to be furnished; and also the payment of the fees hereinafter prescribed in respect of

any

any application, certificate or document required or issued by virtue of this Act;

19. "Employers' liability insurance" means insurance (not being insurance incidental to some other class of insurance defined by or under this Act) against loss to an employer through liability for accidental injury to or death of an employee arising out of or in the course of his employment, but does not include Workmen's Compensation Insurance; "Employers' liability insurance."
20. "Endowment insurance" as applied to a fraternal society means an undertaking to pay an ascertained or ascertainable sum at a fixed future date, if the person whose life is insured is then alive, or at his death, if he dies before such date; "Endowment insurance."
21. "Exchange" or "reciprocal or interinsurance exchange" means a group of subscribers exchanging reciprocal contracts of indemnity or inter-insurance with each other through the same attorney; "Exchange" or "reciprocal or inter-insurance exchange."
22. "Foreign jurisdiction" includes any jurisdiction other than Ontario; "Foreign jurisdiction."
23. "Fire insurance" means insurance (not being insurance incidental to some other class of insurance defined by or under this Act) against loss of or damage to property through fire, lightning or explosion due to ignition; "Fire insurance."
24. "Fraternal society" means a corporation, society, order or voluntary association incorporated or formed and carried on for the benefit of its members and their beneficiaries and not for profit, which makes provision by its constitution and laws for payment to beneficiaries of benefits on the death or disability of its members; "Fraternal society."
25. "Governing executive authority" means the executive committee, executive board, management committee, grand executive committee or such other board, committee or body as is charged under the constitution and rules of a fraternal society with its general management between general meetings; "Governing executive authority."

"Guarantee insurance."

26. "Guarantee insurance" means the undertaking to perform an agreement or contract or to discharge a trust, duty or obligation upon default of the person liable for such performance or discharge or to pay money upon such default or in lieu of such performance or discharge, or where there is loss or damage through such default and includes insurance against loss or liability for loss due to the invalidity of the title to any property or of any instrument or to any defect in such title or instrument, but does not include credit insurance;

"Hail insurance."

27. "Hail insurance" means insurance against loss of or damage to growing crops caused by hail;

"Head office."

28. "Head office" means the place where the chief executive officer of an insurer transacts his business;

"Industrial contract."

29. "Industrial contract" means a contract of life insurance for an amount not exceeding two thousand dollars, exclusive of any benefit, surplus, profit, dividend or bonus also payable under the contract, and which provides for payment of premiums at fortnightly or shorter intervals, or, if the premiums are usually collected at the home of the insured, at monthly intervals;

"Inland transportation insurance."

30. "Inland transportation insurance" means insurance against loss of or damage to property while in transit by land, or by water and by land, or by air and by land or by water, or during delay wholly incidental to or accidentally arising out of the transit;

"Insurance."

31. "Insurance" means the undertaking by one person to indemnify another person against loss or liability for loss in respect of a certain risk or peril to which the object of the insurance may be exposed, or to pay a sum of money or other thing of value upon the happening of a certain event;

"Insurance fund" or "insurance funds."

32. "Insurance fund" or "insurance funds," as applied to a fraternal society or as applied to any corporation not incorporated exclusively for the transaction of insurance, includes all money, securities for money and assets appro-

appropriated by the rules of the society or corporation to the payment of insurance liabilities or appropriated for the management of the insurance branch or department or division of the society, or otherwise legally available for insurance liabilities, but does not include funds of a trade union appropriated to or applicable for the voluntary assistance of wage earners unemployed or upon strike;

33. "Insurance money" means the amount payable <sup>"Insurance money."</sup> by an insurer under a contract, and includes all benefits, surplus, profits, dividends, bonuses, and annuities payable under the contract;
34. "Insurance on the cash plan" means and <sup>"Insurance on the cash plan."</sup> includes any insurance which is not mutual insurance;
35. "Insurer" means the person who undertakes or <sup>"Insurer."</sup> agrees or offers to undertake a contract;
36. "Life insurance" means insurance whereby the <sup>"Life insurance."</sup> insurer undertakes to pay insurance money on death, or on the happening of any contingency dependent on human life, or whereby the insurer undertakes to pay insurance money subject to the payment of premiums for a term depending on human life, but, except to the extent of double indemnity insurance, does not include insurance payable in the event of death by accident only;
37. "Live stock insurance" means insurance (not <sup>"Live Stock insurance."</sup> being insurance incidental to some other class of insurance defined by or under this Act) against loss through the death or sickness of or accident to an animal;
38. "Lodge" includes a primary subordinate divi- <sup>"Lodge."</sup> sion by whatever name known, of a fraternal society;
39. "Marine insurance" means insurance against <sup>"Marine insurance."</sup> marine losses; that is to say, the losses incidental to marine adventure, and may by the express terms of a contract or by usage of trade extend so as to protect the insured against losses on inland waters or by land or air which are incidental to any sea voyage;

"Minister."

40. "Minister" means that member of the Executive Council charged for the time being by the Lieutenant-Governor in Council with the administration of this Act;

"Mutual benefit society."

41. "Mutual benefit society" means a mutual corporation formed for the purpose of providing sick and funeral benefits for its members, or for this and any other purposes necessary or incidental thereto except life insurance, but does not include a pension fund or employees' mutual benefit society incorporated under or subject to the provision of *The Companies Act*;

Rev. Stat.,  
c. 218.

"Mutual corporation."

42. "Mutual corporation" means a corporation without share capital or with guarantee capital stock subject to repayment by the corporation, in respect of which the dividend rate is limited by its Act or instrument of incorporation, which is empowered to undertake mutual insurance exclusively;

"Mutual insurance."

43. "Mutual insurance" means a contract of insurance in which the consideration is not fixed or certain at the time the contract is made and is to be determined at the termination of the contract or at fixed periods during the term of the contract according to the experience of the insurer in respect of all similar contracts whether or not the maximum amount of such consideration is predetermined;

"Officer."

44. "Officer" includes any trustee, director, manager, treasurer, secretary or member of the board or committee of management of an insurer or any person appointed by the insurer to sue and be sued in its behalf;

"Paid in."

45. "Paid in" when applied to the capital stock of an insurer or to any shares thereof, means the amount paid to the insurer on its shares, not including the premium, if any, paid thereon, whether such shares are or are not fully paid;

"Paid up."

46. "Paid up" when applied to the capital stock of an insurer or to any shares thereof, means capital stock or shares on which there remains no liability, actual or contingent, to the issuing insurer;

47. "Pension fund association" means a company, "Pension fund association."  
corporation or association incorporated prior to the year 1910, under or by virtue of any law of the province of Quebec, for the purpose of providing a pension for those persons who have contributed to a fund therefor during a certain number of years, and includes any auxiliary funds incorporated for the purpose of guaranteeing the repayment of any sum to those who contributed to such pension fund during a certain number of years, or for the purpose of assuring a life pension to those contributing a sum of money to such pension fund, or for these and similar purposes;
48. "Plate glass insurance" means insurance (not "Plate glass insurance."  
being insurance incidental to some other class of insurance defined by or under this Act) against loss of or damage to plate, sheet or window glass, whether in place or in transit;
49. "Policy" means the instrument evidencing a "Policy."  
contract;
50. "Premium" means the single or periodical "Premium."  
payment under a contract for the insurance, and includes dues, assessments, and other considerations;
51. "Premium note" means an instrument given "Premium note."  
as consideration for insurance whereby the maker undertakes to pay such sum or sums as may be legally demanded by the insurer, but the aggregate of which sums does not exceed an amount specified in the instrument;
52. "Property" includes profits, earnings and other "Property."  
pecuniary interests, and expenditure for rents, interest, taxes and other outgoings and charges and in respect of inability to occupy the insured premises, but only to the extent of express provision in the contract;
53. "Property damage insurance" means insurance "Property damage insurance."  
against loss of or damage to property which is not included in or incidental to some other class of insurance defined by or under this Act;
54. "Public liability insurance" means insurance "Public liability insurance."  
against loss or damage to the person or prop-

erty of others which is not included in or incidental to some other class of insurance defined by or under this Act;

"Regulations."

55. "Regulations" means regulations made under the authority of this Act;

"Sick and funeral benefits."

56. "Sick and funeral benefits" includes insurance against sickness, disability or death under which the moneys payable upon the happening of sickness, disability or death do not exceed the limits prescribed by section 236 of this Act;

"Sickness insurance."

57. "Sickness insurance" means insurance by which the insurer undertakes to pay insurance money in the event of sickness of the person or persons insured, but does not include disability insurance;

"Sprinkler leakage."

58. "Sprinkler leakage insurance" means insurance against loss of or damage to property through the breakage or leakage of sprinkler equipment or other fire protection system, or of pumps, water pipes or plumbing and its fixtures;

"Superintendent."

59. "Superintendent" means the superintendent of insurance and includes the deputy superintendent of insurance;

"Theft insurance."

60. "Theft insurance" means insurance against loss or damage through theft, wrongful conversion, burglary, house-breaking, robbery or forgery;

"Upon proof."

61. "Upon proof" as applied to any matter connected with the licensing of an insurer or other person means upon proof to the satisfaction of the Superintendent;

"Weather insurance."

62. "Weather insurance" means insurance against loss or damage through windstorm, cyclone, tornado, rain, hail, flood, or frost, but does not include hail insurance;

"Workmen's compensation insurance."

63. "Workmen's compensation insurance" means insurance of an employer against the cost of compensation prescribed by statute for bodily injury, disability or death of a workman

through

through accident or disease arising out of or in the course of his employment.

3.—(1) Subsections 1 and 2 of section 24 of *The Insurance Act*, the former as amended by section 8 of *The Insurance Act, 1929*, are repealed and the following substituted therefor: Rev. Stat., c. 222, s. 24, subss. 1 and 2, repealed.

(1) Subject to provisions of Parts of this Act particularly relating to classes of insurers mentioned in the preceding section, a license may be granted to an insurer to carry on any one or more of the classes of insurance defined in section 1 of this Act and such other classes as may be prescribed by the regulations. Classes of insurance.

(2) Subsection 3 of the said section 24 is renumbered subsection 2. Rev. Stat., c. 222, s. 24, subss. 3, renumbered.

4. *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

24b. Every insurer licensed for the transaction of life insurance may, under the authority of its license, unless the license expressly provides otherwise, issue annuities and endowments of all kinds and also include in any policy of life insurance, in respect of the same life or lives insured thereby, disability insurance and double indemnity insurance. Scope of life insurance license.

5. Section 74 of *The Insurance Act* as amended by section 9 of *The Insurance Act, 1929*, is further amended by adding thereto the following subsection: Rev. Stat., c. 222, s. 74, amended.

(8) Where the contracts of a fraternal society are reinsured by a licensed insurer other than a fraternal society, the reinsurer may, with the approval of the Superintendent, value such contracts on the American Men Ultimate Table of Mortality AM<sup>(5)</sup> with interest at four per centum per annum. Valuation of fraternal society contracts.

6. *The Insurance Act* is amended by adding thereto the following sections: Rev. Stat., c. 222, amended.

76a. Any person, other than an insurer or its duly authorized agent, who advertises or holds himself out as a purchaser of life insurance policies or of benefits thereunder, or who trafficks or trades in life insurance policies for the purpose of procuring the sale, surrender, transfer, assignment, pledge or hypothecation thereof to himself or any other person, shall be guilty of an offence. Trafficking in life insurance policies prohibited.

Privileged  
information.

76b. Any information, document, record, statement or thing, made or disclosed to the Superintendent concerning any person licensed or applying for license under this Act, shall be absolutely privileged and shall not be used as evidence in any action or proceeding in any court brought by, or on behalf, of such person.

Rev. Stat.,  
c. 222, s. 95,  
subs. 2,  
amended.

7. Subsection 2 of section 95 of *The Insurance Act* as amended by section 7 of *The Insurance Act, 1930*, is further amended by adding at the end thereof the words "or from falling aircraft, earthquake, hail or civil commotion," so that the said subsection shall now read as follows:

Fire policy  
may cover  
other risks.

(2) An insurer licensed under this Act for the transaction of fire insurance may either by the same or by a separate contract insure the same risk against loss or damage arising from defects in or injuries to sprinklers or other fire extinguishing apparatus, or arising from tornado or windstorm, or from falling aircraft, earthquake, hail or civil commotion.

Rev. Stat.,  
c. 222, s. 99,  
subs. 2 (1929  
c. 53, s. 13),  
re-enacted.

8. Subsection 2 of section 99 of *The Insurance Act* as enacted by section 13 of *The Insurance Act, 1929*, is repealed and the following substituted therefor:

Limitation  
of liability  
clauses.

(2) A policy may contain a limitation of liability clause (or clauses),—

(a) to the effect that the insurer shall only be liable for a specified proportion of any loss which may be sustained to any of the property covered by the policy; or

(b) to the effect that the insurer shall not be liable for more than a specified percentage of the value of any of the said property at the time of the loss; or

(c) in the event of there being any other insurance covering any of the property, to the effect:

(i) that the insurer shall only be liable for a rateable proportion of a specified percentage or proportion of any loss to any of the property; or

(ii) that the insurer shall not be liable for more than a rateable proportion of a specified percentage of the value of any of the property at the time of the loss; or

(d)

- (d) to the effect that the insurer shall only be liable for a specified percentage of any loss, or in the event of there being other insurance covering any of the property, for a specified percentage of its rateable proportion of any loss, but upon the fulfillment by the insured of certain specified stipulations or agreements, shall be liable for a further specified percentage of the loss, or in the event of there being other insurance covering any of the property, for a further specified percentage of its rateable percentage of the loss;

and every policy which contains any clause to the above effect shall have printed or stamped on the face of it, in conspicuous type and in red ink, the following words: "This policy contains a limitation of liability clause (or clauses)." No such clause shall be deemed to be a variation of any statutory condition.

9. Section 107 of *The Insurance Act*, as amended by section Rev. Stat., c. 222, s. 107, amended. 13 of *The Insurance Act*, 1933, is amended by adding thereto the following subsection:

- (3) An assessment shall be fixed as a percentage of the How fixed. face amount of the premium note, and all assessments shall be payable on the same date and at the same rate per centum.

10. Section 229 of *The Insurance Act* is repealed and the Rev. Stat., c. 222, s. 229, re-enacted. following substituted therefor:

229. A society whose valuation balance sheet prescribed Application of surplus. by subsection 1 of section 220 shows a surplus of assets of more than five per centum over and above all its liabilities, may apply the surplus or a portion thereof, by way of transfer from the mortuary to the expense fund, by waiver of premium, by bonus additions or otherwise, in any manner which may be approved by the actuary appointed by the society; provided that a certificate of the actuary is filed with the Superintendent, at least thirty days before any application or transfer is made, certifying that the proposed application or transfer is authorized by the constitution and laws of the society, that it is fair and reasonable and in the best interests of the society, and that it will not prejudice the ability of the society to pay its contracts of insurance as they mature.

Rev. Stat.,  
c. 222, s. 263,  
amended.

**11.** *The Insurance Act* is amended by adding thereto the following section:

Exception as  
to annual  
statement.

**234a.** Where the constitution, by-laws or rules of a fraternal society provide for a fiscal year other than the calendar year, the Superintendent may, in his discretion, accept statements from such a society showing its affairs as at the end of the fiscal year instead of as at the end of the calendar year.

Rev. Stat.,  
c. 222, s. 263,  
subs. 1,  
amended.

**12.—(1)** Subsection 1 of section 263 of *The Insurance Act* as amended by section 15 of *The Insurance Act, 1928*, is further amended by adding at the end thereof the words "provided that a person licensed as an insurance agent or broker under this Part shall not receive a license to act as an insurance adjuster" so that the said subsection shall now read as follows:

Licenses of  
insurance  
adjusters.

(1) The Superintendent may, upon the payment of the prescribed fee, issue to any suitable person a license to act as an adjuster; provided that a person licensed as an insurance agent or broker under this Part shall not receive a license to act as an insurance adjuster.

Rev. Stat.,  
c. 222, s. 263,  
amended.

(2) The said section 263 is amended by adding thereto the following subsection:

Application  
s. 256, subss.  
8, 9 and 10.

(5a) The provisions of subsections 8, 9 and 10 of section 256 with reference to grounds of revocation of license, to the appointment of an Advisory Board, and to the power of the chairman thereof in the matter of insurance agents' licenses, shall apply *mutatis mutandis* to applicants and licensees under this section; provided that a representative of adjusters shall replace a representative of agents on the board.

Rev. Stat.,  
c. 222, s. 268,  
amended.

**13.** Section 268 of *The Insurance Act* is amended by adding thereto the following subsections:

Agree-  
ment as to  
premium  
other than as  
in policy  
prohibited.

(2) No insurer, and no officer, employee or agent thereof, and no broker, shall, directly or indirectly, make or attempt to make any agreement as to the premium to be paid for a policy other than as set forth in the policy, or pay, allow or give, or offer or agree to pay, allow or give, any rebate of the whole or part of the premium stipulated by the policy, or any other consideration or thing of value intended to be in the nature of a rebate of premium, to any person insured or applying for insurance in respect of life, person or

property

property in the Province; and every insurer or other person who violates the provisions of this section, shall be guilty of an offence.

- (3) Nothing in this section shall affect any payment by Exceptions. way of dividend, bonus, profit or savings which is provided for by the policy, or be construed so as to prevent an insurer compensating a *bona fide* salaried employee of its head or branch office in respect of insurance issued by the employing insurer upon the life of such employee or so as to require that such employee shall be licensed as an agent for life insurance under this Act to effect such insurance.

**14.** *The Insurance Act* is amended by adding thereto the Rev. Stat.,  
c. 222  
amended. following section:

- 268a. Any person licensed as an agent for life insurance Twisting life  
insurance  
policies  
prohibited. under this Act who induces, directly or indirectly, an insured to lapse, forfeit or surrender for cash, or for paid up or extended insurance, or for other valuable consideration, his contract of life insurance with one insurer in order to effect a contract of life insurance with another insurer, or makes any false or misleading statement or representation in the solicitation or negotiation of insurance, or coerces or proposes, directly or indirectly, to coerce a prospective buyer of life insurance through the influence of a business or a professional relationship or otherwise, to give a preference in respect to the placing of life insurance which would not be otherwise given in the effecting of a life insurance contract, shall be guilty of an offence.

**15.** This Act shall come into force on the day upon which Commence-  
ment of Act. it receives the Royal Assent.

## CHAPTER 23.

## The Insurance (Temporary Provisions) Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Insurance (Temporary Provisions) Act, 1934.*

1932, c. 26,  
continued  
in force when  
proclaimed.      **2.** *The Insurance (Temporary Provisions) Act, 1932*, which, if proclaimed in force, would have had effect until this Session of the Legislature is concluded, is hereby continued and may be brought into force by the Lieutenant-Governor by his Proclamation on any date before the conclusion of the first Session of the next Legislature, and if so proclaimed in force, shall have effect until such conclusion.

Commence-  
ment of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 24.

## An Act to amend The Interpretation Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Interpretation Act, 1934*. Short title.

2. Clause *l* of section 31 of *The Interpretation Act* is amended Rev. Stat., c. 1, s. 31, cl. *l*, amended. by inserting after the words "Labour Day" in the sixth line the words "Remembrance Day" and by inserting after the word "holiday" in the 10th line the words "except Remembrance Day" so that the said clause shall now read as follows:

(*l*) "Holiday" shall include Sunday, New Year's Day, "Holiday." Good Friday, Easter Monday, Christmas Day, the birthday or the day fixed by proclamation of the Governor-General for the celebration of the birthday of the reigning Sovereign, Victoria Day, Dominion Day, Labour Day, Remembrance Day, and any day appointed by Proclamation of the Governor-General or the Lieutenant-Governor as a public holiday or for a general Fast or Thanksgiving; and whenever any other holiday except Remembrance Day falls on a Sunday, the day next following shall be in lieu thereof a holiday.

3. This Act shall come into force on the day upon which Commence-ment of Act it receives the Royal Assent.

## CHAPTER 25.

## An Act to amend The Juvenile Courts Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Juvenile and Family Courts Act, 1934*.

Rev. Stat.,  
c. 281,  
amended.

**2.** The Act being chapter 281 of the Revised Statutes of Ontario, 1927, entitled *The Juvenile Courts Act* shall hereafter be entitled and known as *The Juvenile and Family Courts Act*.

Rev. Stat.,  
c. 281,  
amended.

**3.** The said Act is amended by adding thereto the following section:

When  
juvenile  
courts  
become  
family  
courts.

1a.—(1) When under the provisions of *The Magistrates' Jurisdiction Act, 1929*, or of any other general or special Act of Ontario jurisdiction is conferred upon the judge or deputy judge of a juvenile court established under this Act to conduct inquiries or hear, try, determine or dispose of matters in addition to those in respect of which jurisdiction is conferred by this Act, such juvenile court shall be known as the "Family Court" of the municipality or area for which it is established, and the judge, deputy judge, officers and staff of such juvenile court shall be the judge, deputy judge, officers and staff of the family court.

Continuance  
of family  
court as  
juvenile  
court.

(2) A family court shall continue as a court of record and as a juvenile court for the purposes of this Act.

Commence-  
ment of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 26.

## An Act to amend The Liquor Control Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Liquor Control Act, 1934*. Short title.
2. *The Liquor Control Act* is amended by adding thereto at the end of Part III the following Part and sections: Rev. Stat., c. 257, amended.

## PART IIIA.

## SALE OF BEER AND WINE.

- 69a.—(1) The Board, subject to the provisions of this Act and the regulations, may issue authorities for the sale of beer and wine or beer or wine in standard hotels and in such other premises as the regulations may provide and define. Power of Board to authorize sale of beer and wine.
- (2) Every standard hotel and other authorized premises in which beer and wine or beer or wine may be sold under the terms of any authority issued by the Board shall in every respect be subject to the control of the Board for the purpose of ensuring strict compliance with the provisions of this Act and the regulations. Authorized premises to be subject to control of Board.
- 69b.—(1) No liquor may be kept for sale, sold or served in any authorized premises for which an authority is issued under this Part except beer and wine or beer or wine, as the authority may prescribe, bought under control of the Board and in accordance with the regulations. Beer and wine to be bought under control of Board.
- (2) No liquor may be kept for sale, sold or served in any authorized premises other than the liquor specified in the authority, and the same must be bought by the holder of the authority. Authority to specify what may be sold.

Sale of wine  
at meals  
only.

69c.—(1) The Board shall not issue any authority for the sale of wine except to be served with meals in authorized premises.

Sale of beer  
in specified  
places only.

(2) The Board in issuing authorities for the sale of beer in authorized premises shall in every authority issued specify the rooms or places therein to which the sale, serving and consumption of beer shall be restricted and confined.

Power  
to make  
regulations.

69d.—(1) The Board, with the approval of the Lieutenant-Governor in Council, may make such regulations with respect to any and all matters and things provided for in this Part as the Board may deem necessary, and without limiting the generality of the foregoing it is declared that the powers of the Board to make such regulations shall extend to and include the following:

Authorized  
premises.

(a) governing, regulating, defining and designating standard hotels and other premises in which beer and wine may be sold under this Part;

Places where  
beer and  
wine may be  
sold.

(b) governing, regulating, defining and designating the portions of standard hotels and other premises and the rooms and places therein to which the keeping for sale, selling and consumption of beer and wine shall be restricted and confined;

Issue and  
cancellation  
etc. of  
authorities.

(c) issuing, renewing, refusing, suspending, cancelling and forfeiting authorities for the sale of beer and wine, and prescribing the conditions to which such authorities shall be subject;

Location and  
construction,  
etc. of  
authorized  
premises.

(d) location, construction, arrangement, accommodation, equipment, maintenance, management and operation of authorized premises;

Purchase  
and sale, etc.  
of beer and  
wine.

(e) purchase, delivery, keeping for sale, sale, serving and consuming of beer and wine;

Restrictions  
and inter-  
dictions.

(f) prescribing the persons to whom the sale of beer or wine is to be restricted and the persons who may be prohibited from buying beer or wine;

Hours and  
days of sale.

(g) periods of the year, days and hours when beer and wine may be sold, served and consumed;

(h)

- (h) employees of persons to whom authorities are <sup>Employees.</sup> issued under this Part and their duties;
  - (i) books and records to be kept, returns to be <sup>Books, records and returns.</sup> made and information to be furnished with respect to authorized premises, and the examination and audit of such books and records;
  - (j) inspection of authorized premises. <sup>Inspection.</sup>
- (2) The provisions of subsection 1 of section 10 shall <sup>Application of s. 10, subs. 1.</sup> apply to any regulations made under this section.
- 69e. No authority may be issued under this Part to any <sup>When issue of authority prohibited.</sup> person who,—
- (a) is not a fit and proper person, or is not the true owner of the business carried on at the standard hotel or other premises for which the authority is sought;
  - (b) has been convicted of any offence against such of the laws of Canada or Ontario as the regulations may specify and within the times therein mentioned;
  - (c) is disqualified under this Act or the regulations or has not complied with the requirements thereof;
  - (d) if an individual, is not a British subject;
  - (e) if a corporation, is not incorporated as required by the regulations;
  - (f) if a club, is not incorporated or otherwise organized as required by the regulations;
  - (g) applies in respect of any premises which do not conform to the regulations.
- 69f.—(1) No authority may be issued in respect of a club <sup>Clubs.</sup> which is not incorporated or organized and operated in accordance with the regulations or in respect of a club which is operated for pecuniary gain.
- (2) Notwithstanding the provisions of subsection 1, the <sup>Veterans' clubs.</sup> Board may issue an authority to a club which is a duly chartered branch of any of the established war

veterans' organizations in Canada which the Board may recognize as such.

Labour  
clubs.

- (3) Notwithstanding the provisions of subsection 1 the Board may issue an authority to a club which is a duly chartered branch or union of any of the established labour organizations in Canada which the Board may recognize as such.

Membership  
of veterans'  
and labour  
clubs.

- (4) Any member of a chartered branch of any of the war veterans' organizations mentioned in subsection 2, or of any of the labour organizations mentioned in subsection 3, shall for the purposes of this Act, be deemed to be a member of a chartered branch to which an authority is issued under this Part, if the rules of the organization and of such branch so permit.

Restriction  
in number of  
authorities.

- 69g. The Board may restrict the number of authorities which it may see fit to issue in any municipality.

Authority  
not to confer  
any vested  
right.

- 69h. Every authority issued under this Part shall be subject to suspension or cancellation and no vested right to any renewal thereof shall accrue in favour of any person, and no such authority may be capitalized or may be sold, transferred or otherwise disposed of, or in any way dealt with except as provided by the regulations.

Authority  
not to be  
issued to  
persons  
under  
covenants,  
etc.

- 69i.—(1) No authority may be issued under this Part,—

(a) to any person who is under written covenant with any person to sell the beer of any brewer or the wine of any manufacturer;

Or to  
brewers, etc.

(b) to any brewer or manufacturer of wine or an agent of either;

Or to persons  
interested in  
breweries,  
etc.

(c) to any person who is so associated or connected with, or financially interested in any brewery or wine manufactory as to be likely to promote the sale of the beer or wine, as the case may be, of such brewery or manufactory;

Or to  
persons  
under agree-  
ment, etc.,  
with  
brewers, etc.

(d) to any person who by reason of any agreement, arrangement, concession, obligation or understanding, verbal or written or direct or indirect with any other person is or may be likely to promote the sale of the beer or wine, as the case may be, of any brewery or wine manufactory;

(e)

- (e) for any standard hotel or other premises in which any brewer or manufacturer of wine has any interest, whether freehold or leasehold, or by way of mortgage or charge or other encumbrance, or by way of mortgage, lien or charge upon any chattel property therein and whether such interest is direct or indirect or contingent or by way of suretyship or guarantee. Or for premises in which brewers, etc., are interested.
- (2) Every covenant, whether verbal or written or contained in any written instrument, affecting real or personal property heretofore or hereafter made under or by which the beer manufactured by any brewer or the wine manufactured by any wine manufacturer is to be sold in or at any authorized premises is hereby declared to be null and void. Covenants as to supplies of beer or wine to be void.
- (3) Nothing in subsection 1 contained shall prevent the Board issuing an authority in respect of a standard hotel or other premises in which any brewer or wine manufacturer has any interest whether freehold or leasehold or by way of mortgage or charge or other encumbrance, if such interest was acquired prior to the 1st day of January, 1933, and not subsequent thereto; provided in any such case no authority shall be issued in respect of any such hotel or premises contrary to the provisions of clauses *a*, *b*, *c*, or *d* of subsection 1 and the Board may as a condition of issuing an authority for any such hotel or premises require the interest of the brewer or wine manufacturer to be disposed of according to terms prescribed by the Board. Exception where premises owned by brewers before 1st January, 1933.
- 69j.—(1) No beer or wine may be sold or served in or at any authorized premises to any person who is,— Prohibitions as to sales.
- (a) under the age of twenty-one years; Minors.
- (b) in an intoxicated condition. Intoxicated persons.
- (2) No person holding an authority under this Part shall permit or suffer in the premises for which the authority is issued,— Prohibitions as to—
- (a) any person under or apparently under the age of twenty-one years to consume any liquor; Consumption by minors.
- (b) any constable or police officer while on duty to consume any liquor; Consumption by police constable.

Gambling,  
etc.

(c) any gambling, drunkenness or any riotous, quarrelsome, violent or disorderly conduct to take place;

Bad  
characters.

(d) any person of notoriously bad character to remain;

Slot  
machines.

(e) any slot machine or gambling device to be placed, kept or maintained.

Forcible  
removal of  
objection-  
able persons.

(3) Any person holding an authority under this Act, if he has reasonable grounds to suspect from the conduct of any person who has come upon the premises in respect of which such authority is issued, although not of notoriously bad character, that such person is present for some improper purpose or is committing an offence against this Act or the regulations, may request him or her to leave immediately such authorized premises, and unless the request is forthwith complied with such person may be forcibly removed.

Compliance  
with regula-  
tions as to  
sale and con-  
sumption.

69k.—(1) No beer or wine may be sold or served to any person or consumed by him in any authorized premises, except in accordance with the regulations.

No bar to  
be erected.

(2) No bar or counter over or at which liquor or other beverage could be sold or served shall be erected, placed, kept or maintained in that part of any authorized premises in which beer or wine is consumed.

Removal  
of beer in  
packages an  
offence.

69l. Proof of the removal of any beer from any authorized premises in any packages shall *prima facie* be evidence against the person holding the authority for such premises of the sale of liquor contrary to the provisions of this Act.

Sales to  
interdicted  
persons  
prohibited.

69m. No person to whom the sale of intoxicants is prohibited by statute of Canada or Ontario and no interdicted person shall be permitted or suffered to remain in any authorized premises.

Control of  
Board over  
employees in  
authorized  
premises.

69n.—(1) The Board may require every person who, being an employee of a person to whom an authority is issued under this Part, is in any way engaged in selling or serving beer or wine to obtain an employee's authority from the Board in accordance with the regulations.

- (2) Where, as provided by subsection 1, employees are required by the Board to obtain an employee's authority, no person who is not so authorized may be employed in the sale or serving of beer or wine in any authorized premises. Prohibiting sale by unauthorized employees.

3.—(1) Section 1 of *The Liquor Control Act* as amended by section 2 of *The Liquor Control Act, 1932*, is further amended by adding thereto the following clause: Rev. Stat., c. 257, s. 1, amended.

- (aa) "Authority" shall mean an authority issued by the Board under Part IIIA for the sale of beer and wine or beer or wine, and "authorized premises" shall mean a standard hotel or other premises for which an authority is issued. "Authorized premises."

(2) Clause *b* of the said section 1 is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 1, cl. b, re-enacted.

- (b) "License" shall mean a license issued by the Board to a brewer, distiller or manufacturer of native wine under this Act or the regulations. "License."

(3) Clause *i* of the said section 1 is amended by inserting after the word "include" in the twelfth line the words "wine and" so that the concluding words of the said clause shall now read as follows: Rev. Stat., c. 257, s. 1, cl. i, amended.

"the term 'liquor' shall include wine and beer but shall not include light beer."

4. *The Liquor Control Act* is amended by adding thereto the following section: Rev. Stat., c. 257, amended.

- 2a.—(1) Subject as in subsection 2 provided, wherever in any section of this Act the words "this Act" occur and are not immediately preceded or followed by the words "or the regulations" or the words "and the regulations" or words of like import, the words "this Act" shall be deemed to include and refer also to the regulations. Inclusion of reference to regulations.

- (2) The provisions of subsection 1 shall not apply or extend to the words "this Act" where they occur in sections 46 and 47, the last line of subsection 2 of section 56, section 57, the last line of sections 58, 59 or 60, the last line of subsection 2 of section 63, subsections 1, 6 and 7 of section 64, subsection 1 of section 65, subsections 2 and 4 of section 65, the ninth line of subsection 2 of section 80, section 86, Or Exclusion of reference to regulations.

subsection 1 of section 91, subsection 2 of section 95, sections 99 and 103, the fourth and eleventh lines of section 111, section 114, subsection 2 of section 116, the first line of section 119, sections 121, 123 and 124, subsection 3 of section 133, section 137, section 138 other than subsection 15 thereof, and sections 139 and 140.

Rev. Stat.,  
c. 257, s. 9,  
cl. b,  
amended.

5.—(1) Clause *b* of section 9 of *The Liquor Control Act* as amended by section 3 of *The Liquor Control Amendment Act, 1928*, is further amended by inserting after the word “sale” in the first line the word “consumption,” so that the said clause shall now read as follows:

Control.

(*b*) to control the possession, sale, consumption, transportation and delivery of liquor in accordance with the provisions of this Act and the regulations.

Rev. Stat.,  
c. 257, s. 9,  
cl. d,  
amended.

(2) Clause *d* of the said section 9 is amended by inserting after the word “beer” in the second line the word “wine” so that the said clause shall now read as follows:

Provision for  
warehouses.

(*d*) to make provision for the maintenance of warehouses for beer, wine or liquor and to control the keeping in and delivery of or from any such warehouses.

Rev. Stat.,  
c. 257, s. 9,  
cl. e,  
amended.

(3) Clause *e* of the said section 9 is amended by inserting after the word “refuse” in the first line the word “suspend,” so that the said clause shall now read as follows:

Permits.

(*e*) to grant, refuse, suspend or cancel permits for the purchase of liquor.

Rev. Stat.,  
c. 257, s. 10,  
subs. 2, cl. *k*,  
re-enacted.

6.—(1) Clause *k* of subsection 2 of section 10 of *The Liquor Control Act* is repealed and the following substituted therefor:

Quantities  
of liquors,  
etc.

(*k*) prescribing the kinds and quantities of liquor which may be sold or purchased under permits or authorities of any class including the quantity which may be sold or purchased at any one time or within any specified period of time and the alcoholic content of any such liquor.

Rev. Stat.,  
c. 257, s. 10,  
subs. 2, cl. *n*,  
amended.

(2) Clause *n* of subsection 2 of the said section 10 is amended by inserting after the word “permits” in the second line the words “and authorities” so that the said clause shall now read as follows:

Duties of  
officials  
as to issue of  
permits  
and  
authorities.

(*n*) prescribing the duties of officials authorized to issue permits and authorities under this Act.

(3) Subsection 2 of the said section 10 is amended by adding thereto the following clause: Rev. Stat., c. 257, s. 10, subs. 2, amended.

- (rr) governing the purchase, keeping, offering for sale, sale and serving of beer and wine which may be sold by any person to whom an authority is issued under this Act. Sale of beer and wine, etc.

7. Section 24 of *The Liquor Control Act* is amended by inserting after the word "permits" in the second line the words "or authorities" so that the said section shall now read as follows: Rev. Stat., c. 257, s. 24, amended.

24. Every vendor and every official authorized by the Board to issue permits or authorities under this Act may administer any oath and take and receive any evidence or declaration required under this Act or the regulations. Administration of oaths.

8. Section 29 of *The Liquor Control Act* is repealed and the following substituted therefor: Rev. Stat., c. 257, s. 29, re-enacted.

29. Notwithstanding anything in this Act contained the Board shall not be compellable to issue any permit, license or authority under this Act and may refuse, suspend or cancel any such permit, license or authority in its discretion and shall not be obliged to give any reason or explanation for such refusal, suspension or cancellation. Board not compellable to issue permits, etc.

9. Section 37 of *The Liquor Control Act* is amended by adding thereto the following subsection: Rev. Stat., c. 257, s. 37, amended.

- (5) Notwithstanding the provisions of this Act providing for the purchase, having, possession and consumption of liquor upon a permit, the Board may provide that beer or wine may be purchased, had, possessed and consumed without any permit therefor being necessary for such time and upon and subject to such conditions and restrictions as the regulations may prescribe, and when and during the time the purchase, having, possession and consumption of beer or wine is authorized without any permit therefor being necessary, every provision of this Act and the regulations relating to the purchasing, having, possessing and consuming of liquor under a permit shall be construed with due regard to the fact that the purchase, having, possession and consumption of beer or wine may be made and had without such permit. Board may authorize purchase of beer and wine without permit.

Rev. Stat.,  
c. 257, s. 45,  
subs. 1, cl. b,  
re-enacted.

**10.**—(1) Clause *b* of subsection 1 of section 45 of *The Liquor Control Act* is repealed and the following substituted therefor:

Delivery  
of beer.

(*b*) to deliver beer on the order of the Board or of a vendor to any person named in such order at the address therein stated.

Rev. Stat.,  
c. 257, s. 45,  
subs. 1, cl. c  
(1932, c. 33,  
s. 4, subs. 2),  
re-enacted.

(2) Clause *c* of subsection 1 of the said section 45 as re-enacted by subsection 2 of section 4 of *The Liquor Control Act*, 1932, is repealed and the following substituted therefor:

Sale of beer.

(*c*) to keep for sale and sell beer under the supervision and control of the Board and in accordance with this Act and the regulations.

Rev. Stat.,  
c. 257, s. 49,  
amended.

**11.** Section 49 of *The Liquor Control Act* is amended by striking out the word “brewery” in the first line and inserting in lieu thereof the word “premises” so that the said section shall now read as follows:

Construction  
and equip-  
ment of  
premises.

49. No premises shall be constructed and equipped so as to facilitate any breach of this Act or the Regulations made thereunder.

Rev. Stat.,  
c. 257, s. 52,  
re-enacted.

**12.** Section 52 of *The Liquor Control Act* is repealed and the following substituted therefor:

Term of  
license and  
authority.

52. Every license or authority issued under this Act unless sooner cancelled or determined shall expire at midnight on the 31st of October in the year in which the same is issued.

Rev. Stat.,  
c. 257, s. 68,  
amended.

**13.** Section 68 of *The Liquor Control Act* is amended by inserting after the word “established” in the fourth line the words “and no authority for the sale of liquor shall be issued under this Act,” so that the said section shall now read as follows:

Stores  
not to be  
established  
where C.T.A.  
in force.

68. Nothing contained in this Act shall be construed as interfering with the operation of *The Canada Temperance Act* applicable to any part of Ontario, and no Government store shall be established and no authority for the sale of liquor shall be issued under this Act in a municipality in which *The Canada Temperance Act* has been brought into force and is still in force.

Rev. Stat.,  
c. 257, s. 69,  
subs. 1,  
amended.

**14.**—(1) Subsection 1 of section 69 of *The Liquor Control Act* is amended by inserting after the word “liquor” in the second line the words “and no authority for the sale of beer

or wine shall be issued under this Act" and by inserting after the word "stores" in the last line the words "or for the issue of authorities for the sale of beer or wine," so that the said subsection shall now read as follows:

- (1) Except as provided by the regulations, no store shall be established by the Board for the sale of liquor and no authority for the sale of beer or wine shall be issued under this Act in any municipality or portion of a municipality in which at the time of the coming into force of *The Ontario Temperance Act*, a by-law passed under *The Liquor License Act* or under any other Act, was in force prohibiting the sale of liquor by retail unless and until a vote has been taken to establish Government stores or for the issue of authorities for the sale of beer or wine in the manner hereinafter provided. Local option  
by-laws.

(2) Subsection 2 of the said section 69 as amended by subsection 1 of section 6 of *The Liquor Control Amendment Act, 1929*, is further amended by striking out the word "three" in the fourth line so that the first five lines of the said subsection shall now read as follows: Rev. Stat.,  
c. 257, s. 69,  
subs. 2,  
amended.

- (2) The council of any municipality in which such by-law was in force may submit to a vote of the persons qualified to be entered on the voters' list and to vote at elections to the Assembly in the municipality, one of the following questions: Submission  
of question.

(3) Subsection 2 of the said section 69 as amended is further amended by inserting after clause *c* the following clauses: Rev. Stat.,  
c. 257, s. 69,  
subs. 2,  
amended.

or

- (d) "Are you in favour of authorities being issued for standard hotels and other premises wherein beer or wine may be sold under *The Liquor Control Act*?"

or

- (e) "Are you in favour of authorities being issued for standard hotels wherein beer or wine may be sold under *The Liquor Control Act*?"

or

- (f) "Are you in favour of authorities being issued for premises other than standard hotels wherein beer or wine may be sold under *The Liquor Control Act*?"

or

or

- (g) "Are you in favour of authorities being issued for the sale of beer only in authorized premises under *The Liquor Control Act*?"

Rev. Stat.,  
c. 257, s. 69,  
subs. 2,  
amended

(4) The second paragraph of subsection 2 of the said section 69 as amended is further amended by inserting after the word "only" in the thirteenth line the words "or to issue authorities to standard hotels and other premises or to either standard hotels or other premises in the municipality wherein beer and wine may be sold or for the sale of beer only in authorized premises," so that the said paragraph shall now read as follows:

"and if a petition in writing signed by at least twenty-five per centum of the total number of persons appearing by the last revised list of the municipality to be resident in the municipality and qualified to vote at elections to the Assembly requesting the council to submit any one of the said questions is filed with the clerk of the municipality and with the Board, it shall be the duty of the council to submit such question and no other, to a vote of the electors and if three-fifths of the electors voting upon the said question vote in the affirmative thereon, it shall be lawful to establish Government stores in the municipality for the sale of liquor, or for the sale of beer and wine, or for the sale of beer only, or to issue authorities to standard hotels and other premises or to either standard hotels or other premises in the municipality wherein beer and wine may be sold, or for the sale of beer only in authorized premises, as the case may be, until another vote is taken as hereinafter provided.

Rev. Stat.,  
c. 257, s. 69,  
subs. 3,  
amended.

(5) Subsection 3 of the said section 69 is amended by inserting after the word "established" in the second line the words "or where authorities have been issued for standard hotels and other premises or either in which beer or wine may be sold, or for the sale of beer only in authorized premises," so that the first paragraph of the said subsection shall now read as follows:

Submission  
of question  
of discon-  
tinuance of  
stores.

- (3) Where a Government store or stores has or have been established or where authorities have been issued for standard hotels and other premises or either in which beer or wine may be sold or for the sale of beer only in authorized premises in any city, town, village or township, the council may as provided in subsection 2 and subject to the same provisions and on petition

as in the case provided for by the said subsection, shall submit to the electors in the same manner, whichever of the following questions may be applicable in the existing circumstances.

(6) Subsection 3 of the said section 69 is further amended by inserting after clause *c* the following clauses: Rev. Stat.,  
c. 257, s. 69,  
subs. 3,  
amended.

or

- (d) "Are you in favour of the continuance of authorities being issued for standard hotels and other premises wherein beer or wine may be sold under *The Liquor Control Act*?"

or

- (e) "Are you in favour of the continuance of authorities being issued for standard hotels wherein beer or wine may be sold under *The Liquor Control Act*?"

or

- (f) "Are you in favour of the continuance of authorities being issued for premises other than standard hotels wherein beer or wine may be sold under *The Liquor Control Act*?"

or

- (g) "Are you in favour of the continuance of authorities being issued for the sale of beer only in authorized premises under *The Liquor Control Act*?"

(7) The last paragraph of subsection 3 of the said section 69 is amended by inserting after the word "closed" in the fourth line the words "or in case any of the questions set forth in clauses *d*, *e*, *f* or *g* of this subsection having been submitted to the electors, if three-fifths of the electors voting thereon vote in the negative from and after the 31st day of October in the year in which such vote is taken the issuing of authorities for standard hotels or other premises as the case may be and accordingly as to which of the said questions was submitted shall be discontinued" and the said last paragraph is further amended by adding at the end thereof the words "or to issue authorities for standard hotels or other premises wherein beer or wine may be sold or for the sale of beer only in authorized premises, as the case may be," so that the said paragraph shall now read as follows: Rev. Stat.,  
c. 257, s. 69,  
subs. 3,  
amended.

"and if three-fifths of the electors voting thereon vote in the negative, from and after the 1st day of May in the next following year any Government store estab-

lished

lished in the municipality shall be closed or in case of any of the questions set forth in clauses *d*, *e*, *f* or *g* of this subsection having been submitted to the electors, if three-fifths of the electors voting thereon vote in the negative from and after the 31st day of October in the year in which such vote is taken the issuing of authorities for standard hotels or other premises, as the case may be, and accordingly as to which of the said questions was submitted, shall be discontinued and it shall be unlawful thereafter until another vote is taken as hereinafter provided to sell liquor in such municipality or to issue authorities for standard hotels or other premises wherein beer or wine may be sold, or for the sale of beer only in authorized premises, as the case may be.

Rev. Stat  
c. 257, s. 69  
subs. 18,  
amended.

(8) Subsection 18 of the said section 69 is amended by inserting therein the following clauses:

Voting on question to authorize standard hotels and other premises for sale of beer or wine.	3a.	Yes	No
	Are you in favour of authorities being issued for standard hotels and other premises wherein beer or wine may be sold under <i>The Liquor Control Act</i> ?		
Voting on question to authorize standard hotels for sale of beer or wine.	3b.	Yes	No
	Are you in favour of authorities being issued for standard hotels wherein beer or wine may be sold under <i>The Liquor Control Act</i> ?		
Voting on question to authorize premises other than standard hotels for sale of beer or wine.	3c.	Yes	No
	Are you in favour of authorities being issued for premises other than standard hotels wherein beer or wine may be sold under <i>The Liquor Control Act</i> ?		
Voting on question to authorize sale of beer only in authorized premises.	3d.	Yes	No
	Are you in favour of authorities being issued for the sale of beer only in authorized premises under <i>The Liquor Control Act</i> ?		

Voting on question to continue authorities for standard hotels and other premises wherein beer or wine may be sold.

7.

Yes No

Are you in favour of the continuance of authorities for standard hotels and other premises wherein beer or wine may be sold under *The Liquor Control Act*?

Voting on question to continue authorities for standard hotels wherein beer or wine may be sold.

8.

Yes No

Are you in favour of the continuance of authorities being issued for standard hotels wherein beer or wine may be sold under *The Liquor Control Act*?

Voting on question to continue authorities for premises other than standard hotels wherein beer or wine may be sold.

9.

Yes No

Are you in favour of the continuance of authorities being issued for premises other than standard hotels wherein beer or wine may be sold under *The Liquor Control Act*?

Voting on question to continue authorities for sale of beer only in authorized premises.

10.

Yes No

Are you in favour of the continuance of authorities being issued for the sale of beer only in authorized premises under *The Liquor Control Act*?

**15.** Section 78 of *The Liquor Control Act* is amended by <sup>Rev. Stat., c. 257, s. 79, amended.</sup> inserting at the commencement thereof the words "Except as provided by this Act" so that the said section shall now read as follows:

78. Except as provided by this Act no person, within the Province of Ontario, shall consume any liquor on any premises where liquor is kept for sale. <sup>Consumption of liquor prohibited.</sup>

**16.** Section 79 of *The Liquor Control Act* as enacted by <sup>Rev. Stat., c. 257, s. 79, amended.</sup> section 7 of *The Liquor Control Act, 1930*, is amended by striking out the words "in the case of wine used for sacramental purposes or in any religious ceremony and" in the first and second lines, so that the said section shall now read as follows:

Liquor  
which may  
be con-  
sumed.

79. Except as provided by this Act and the regulations, no person shall consume liquor within Ontario unless the same has been acquired under the authority of a permit or prescription issued under this Act, or is had or kept with the permission of the Board, and unless the package in which the liquor is contained and from which it is taken for consumption has, while containing that liquor, been sealed with the official seal prescribed under this Act and the regulations.

Rev. Stat.,  
c. 257, s. 82,  
amended.

17. Section 82 of *The Liquor Control Act* is amended by striking out the words "vendor or employee of a vendor" in the first line and inserting in lieu thereof the word "person" so that the said section shall now read as follows:

Sale of  
liquor to  
drunken  
person.

82. No person shall sell or supply liquor or permit liquor to be sold or supplied to any person under or apparently under the influence of liquor.

Rev. Stat.,  
c. 257, s. 90,  
subs. 2  
(1930, c. 51  
s. 10),  
re-enacted.

18. Subsection 2 of section 90 of *The Liquor Control Act* as enacted by section 10 of *The Liquor Control Act, 1930*, is repealed and the following subsections substituted therefor:

Possession  
of liquor  
on permit.

- (2) The holder of an individual permit may have in his possession or consume in his residence only the liquor had and acquired by him under his individual permit or otherwise under the provisions of this Act and in accordance therewith.

Illegal  
possession.

- (3) No person may have in his possession or consume in his residence any liquor which has not been had or acquired by him under his individual permit or otherwise under the provisions of this Act and in accordance therewith.

Possession  
of beer and  
wine.

- (4) Every person who is not prohibited or disqualified by the provisions of this Act or any other Act from having in his possession or consuming the same, may have in his possession and consume beer or wine, provided the sale, possession and consumption of such beer or such wine is made and had in accordance with the provisions of this Act.

Rev. Stat.,  
c. 257, s. 91,  
subs. 1,  
amended.

19. Subsection 1 of section 91 of *The Liquor Control Act* is amended by inserting after the word "by" in the first line the words "this Act and" so that the subsection exclusive of clauses *a* and *b* shall now read as follows:

Hotels.

- (1) Except as provided by this Act and the regulations and except in the case of liquor kept and consumed pursuant to a special permit granted under the provisions of section 37 of this Act, no person,—

**20.** Subsection 2 of section 92 of *The Liquor Control Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 257, s. 92,  
subs. 2, re-  
enacted.

- (2) This section shall not apply to any advertisement respecting liquor in premises where the same may be lawfully stored, kept or sold under this Act, provided such advertisement has first been permitted in writing by the Board and then subject to such permission and the directions of the Board.

Approved  
advertising.

**21.**—(1) Subsection 1 of section 94 of *The Liquor Control Act* as enacted by section 12 of *The Liquor Control Act, 1930*, is repealed and the following substituted therefor:

Rev. Stat.,  
c. 257, s. 94,  
subs. 1  
(1930, c. 51,  
s. 12), re-  
enacted.

- (1) Subject to the provisions of this Act and the regulations and to any restrictions which the Board may impose, manufacturers of native wines may keep and offer for sale, sell and deliver the same in such quantities as may be permitted by the Board.

Sale of  
native wine.

(2) Subsection 2 of the said section 94 is amended by striking out the word "section" in the second line and inserting in lieu thereof the word "Act."

Rev. Stat.,  
c. 257, s. 94,  
subs. 2,  
amended.

**22.** Subsection 2 of section 95 of *The Liquor Control Act* is amended by inserting after the word "control" in the second line the words "or consuming," so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 257, s. 95,  
subs. 2,  
amended.

- (2) Every interdicted person keeping or having in his possession or under his control or consuming any liquor shall be guilty of an offence against this Act, and, on summary conviction thereof, the justice making the conviction may in and by the conviction declare the liquor and all packages in which the same is contained to be forfeited to His Majesty in the right of the Province.

Disregard  
of order.

**23.** Section 96 of *The Liquor Control Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 257, s. 96,  
re-enacted.

96. Upon an order of interdiction being made, the interdicted person shall forthwith deliver to the Board all liquor in his possession or under his control to be kept for him by the Board until the order of interdiction is revoked or set aside, or at the option of the Board, such liquor may be purchased from him at a price to be fixed by the Board.

Delivery  
of liquor to  
Board on  
interdiction.

**24.** Subsection 1 of section 104 of *The Liquor Control Act* is amended by striking out the figures "\$100" in the fourth line

Rev. Stat.,  
c. 257, s. 104,  
subs. 1,  
amended.

and

and inserting in lieu thereof the figures "\$500," and by striking out the figures "\$500" in the eighth line and inserting in lieu thereof the figures "\$1,000" so that the said subsection shall now read as follows:

General  
penalty.

- (1) Every person guilty of an offence against this Act for which no penalty has been specifically provided shall be liable for a first offence to a penalty of not less than \$10 nor more than \$500 and in default of immediate payment to imprisonment for not more than thirty days; for a second offence to imprisonment for not less than one month nor more than two months or to a penalty of not less than \$200 nor more than \$1,000, and, in default of immediate payment, to imprisonment for not less than two months nor more than four months; and for a third or subsequent offence to imprisonment for not less than three months nor more than six months without the option of a fine.

Rev. Stat.,  
c. 257, s. 131,  
subs. 3  
(1930, c. 51,  
s. 16),  
amended.

**25.** Subsection 3 of section 131 of *The Liquor Control Act* as enacted by section 16 of *The Liquor Control Act, 1930*, is amended by inserting after the word "cancellation" in the third line and fifth lines the words "or suspension" so that the said subsection shall now read as follows:

Certificate of  
cancellation  
or suspension  
of permit  
*prima facie*  
evidence.

- (3) In the prosecution of any person charged with an offence against this Act, the production of a certificate of cancellation or suspension of permit signed by any member of the Board shall be *prima facie* evidence of the cancellation or suspension of the permit mentioned in such certificate.

Commence-  
ment of Act.

**26.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## CHAPTER 27.

An Act to amend The Loan and Trust  
Corporations Act.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Loan and Trust Corporations Act*, 1934. Short title.

**2.** Clause *e* of subsection 1 of section 18 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor: Rev. Stat., c. 223, s. 18, subs. 1, cl. *e*, re-enacted.

(*e*) To accept and execute the offices of executor, administrator, trustee, receiver, liquidator, assignee, custodian, trustee in bankruptcy, or of trustee for the benefit of creditors, and of guardian of any minor's estate, or committee of any lunatic's estate; to accept the duty of and act generally in the winding up of estates, partnerships, companies and corporations. Power which may be conferred on trust companies to act as executor, etc.

**3.** Clause *e* of subsection 1 of section 18 of *The Loan and Trust Corporations Act* as enacted by section 2 of this Act shall be deemed to have been in force and had effect from and since the 7th day of July, 1919. Effect of s. 18, subs. 1, cl. *e*.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 28.

## An Act to amend The Magistrates Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Magistrates Act, 1934*.

"Magis-  
trate,"  
"Magis-  
trate's  
court."

Rev. Stat.,  
c. 119.

2.—(1) Every police magistrate and deputy police magistrate heretofore or hereafter appointed under the authority of *The Magistrates Act* shall be styled and known as a magistrate or deputy magistrate, as the case may be, and his court shall hereafter be known as the magistrate's court.

Statutory  
reference  
to police  
magistrate,  
etc., how to  
construed.

(2) Where in *The Magistrates Act* or in any other general Act or in any special Act reference is made to a police magistrate or deputy police magistrate or to a police magistrate's court it shall for all purposes be deemed that such reference is made to a magistrate or deputy magistrate or magistrate's court, and hereafter they shall, respectively, be so styled and known.

Saving as to  
the Criminal  
Code.

(3) Where under the *Criminal Code* (Canada) jurisdiction is conferred upon a police magistrate, a magistrate and a deputy magistrate, insofar as the purposes of the said Act may require, shall continue to be a police magistrate.

Commence-  
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 29.

## An Act to amend The Medical Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Medical Act, 1934.* Short title.
2. *The Medical Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 196,  
amended.
  21. Every person desirous of being registered under this Act shall, before being entitled to registration, be possessed of such qualifications as the orders, regulations or by-laws of the council may provide and shall have complied therewith. Quali-  
fications.
3. *The Medical Act* is amended by adding thereto the following section: Rev. Stat.,  
c. 196,  
amended.
  - 22.—(1) The council may by by-law provide that persons applying for registration shall pass the examinations conducted by the Medical Council of Canada pursuant to the provisions of the *Canada Medical Act* and produce a certificate of qualification from such last-mentioned Council. Substitution  
of examina-  
tions held  
under the  
Canada  
Medical Act.
  - (2) During the time a by-law passed under the authority of subsection 1 remains in force and the Medical Council of Canada conducts annual examinations within Ontario, the Council shall not be required to appoint examiners or conduct examinations as provided in sections 24, 25 and 26. Provincial  
examinations  
suspended.
4. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 30.

## The Milk Control Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Milk Control Act, 1934*.

Board constituted.

2.—(1) There shall be a board to be known as "The Milk Control Board of Ontario," hereinafter called the "board" which shall be a body corporate and have the powers and duties herein specified and the administration of this Act and the regulations,

Number of members.

(2) The board shall consist of one or more members to be appointed by the Lieutenant-Governor in Council to hold office during pleasure and if more than one member is appointed, the Lieutenant-Governor in Council shall designate which one of them shall be the chairman of the board and any vacancies in the said board shall be filled by the Lieutenant-Governor in Council.

Remuneration, etc., of members.

(3) The member or members of the board shall receive such remuneration, allowances and expenses as may be determined by the Lieutenant-Governor in Council.

Appointment of officers, clerks, etc.

(4) The board may, with the approval of the Lieutenant-Governor in Council appoint and employ such officers, clerks and employees as may be necessary, and the remuneration of persons so appointed shall be determined by the Lieutenant-Governor in Council.

Expenses of Board.

(5) All salaries, remuneration and expenses of the board and of its officers, clerks and servants shall be paid out of the Consolidated Revenue Fund upon the certificate of the Minister of Agriculture or of an officer of his Department designated by him for the purpose.

3.—(1) The board shall have jurisdiction and power upon <sup>Jurisdiction of Board.</sup> its own initiative, or upon complaint or request made to it in writing, to inquire into any matter relating to the producing, supplying, processing, handling, distributing or sale of milk and, subject to the approval of the Lieutenant-Governor, to make regulations with respect thereto or to any of the said matters.

(2) Without limiting or derogating from the generality of <sup>Regulations.</sup> the foregoing, the board, with the approval of the Lieutenant-Governor in Council, may make regulations,—

- (a) governing and supervising the producing, processing, handling, storing, hauling, delivering, distributing, keeping or offering for sale and the sale of milk, and all persons engaged or employed therein, and the reports and returns to be made by them to the board;
- (b) requiring persons or classes of persons engaged or employed in the processing, handling, storing, hauling, delivering, distributing, keeping or offering for sale, or the sale of milk to be licensed and to fix the term of such licenses and the fees to be paid therefor;
- (c) governing disputes and the determination of disputes arising between producers and distributors of milk, or between any two or more classes or branches of persons engaged in the milk industry as producers, processors, handlers, haulers, distributors or vendors of milk, or as being otherwise engaged in the said industry;
- (d) governing agreements which may be entered into between producers of milk and other persons or classes of persons engaged in the milk industry.

(3) Any regulations made under the authority of this section <sup>Application of</sup> may be general in their application or may be limited to any <sup>regulations.</sup> locality or localities, or to any persons or classes of persons, or to any branch of the milk industry mentioned therein.

4. No person who is required by the regulations to be <sup>License required.</sup> licensed under the authority of this Act shall engage or be employed in any branch of the milk industry without such license.

5. No person shall engage or be employed in any branch of <sup>Compliance with the Act</sup> the milk industry except as provided by and in accordance <sup>Act</sup> with this Act and the regulations.

Settlement  
of disputes.

6. No action may be brought respecting or for the determination of any dispute which by the regulations is required to be determined by arbitration, and any such dispute shall be determined as provided for in the regulations.

Promulga-  
tion of  
regulations.

7. Every regulation made under this Act shall be published by the board in two successive issues of the *Ontario Gazette* and when so published shall while it remains in force, have the like effect as if enacted in this Act, and all courts shall take judicial notice thereof.

Powers of  
Board as to  
inquiry and  
report.

8. The board, or any person authorized by the board to make inquiry or report, may when it appears expedient,—

- (a) enter upon and inspect any land, place, building, works or other property;
- (b) require the attendance of all such persons as it or he thinks fit to summon and examine and take the testimony of such persons;
- (c) require the production of all books, records, plans, specifications, drawings, writings and documents;
- (d) administer oaths, affirmations or declarations and shall have the like powers to summon witnesses, enforce their attendance and compel them to give evidence and produce books, records, plans, specifications, drawings, writings and documents which it or he may require them to produce as is vested in the Supreme Court.

Regulations.

9. The board, with the approval of the Lieutenant-Governor in Council, may from time to time make regulations respecting,—

- (a) the meetings and proceedings of the board;
- (b) the respective duties of the staff and of other persons employed by the board;
- (c) the records, books and accounts to be kept by the board;
- (d) the practice and procedure in all matters before the board and the conduct of all persons appearing before the board.

Annual  
report

10.—(1) The board shall make an annual report in writing to the Minister of Agriculture not later than the 31st day of January in every year showing a record of the meetings and an

abstract

abstract of its proceedings during the preceding calendar year and containing such other matters as appear to the board to be of public interest in connection with matters within its jurisdiction or which the Lieutenant-Governor in Council may direct.

(2) Every such report shall be laid before the Assembly <sup>To be laid before</sup> forthwith if then in session, or if not then in session, within <sup>Assembly.</sup> fifteen days after the commencement of the next session.

**11.** Every person who violates any of the provisions of this <sup>Penalties.</sup> Act or of any regulation, rule or order made under this Act or of the board shall incur a penalty of not less than \$5 for each <sup>Rev. Stat. c. 121.</sup> offence, recoverable under *The Summary Convictions Act*.

**12.** This Act shall come into force on a day to be named by <sup>Commence-ment of Act.</sup> the Lieutenant-Governor by his Proclamation.

## CHAPTER 31.

## An Act to amend The Minimum Wage Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Minimum Wage Act, 1934*.

Rev. Stat.,  
c. 277, s. 11,  
subs. 1, re-  
enacted.

2.—(1) Subsection 1 of section 11 of *The Minimum Wage Act* is repealed and the following substituted therefor:

Maximum  
hours of  
labour.

(1) Where under the provisions of this Act the Board has heretofore established or hereafter establishes for any class of employment a minimum wage to be paid to employees therein, the maximum number of hours of labour to be performed in any week for which such minimum wage is to be paid to any such employee, shall be forty-eight hours in any municipality having a population of more than 50,000 and shall be fifty hours in any municipality having a population of from 10,000 to 50,000 inclusive and shall be fifty-four hours in any other municipality; and if in any industry or class of employment to which the minimum wage so established applies, the prevailing weekly hours of labour as determined by the Board are less than the said maximum number of hours, such prevailing weekly hours of labour shall however be construed and considered as being the said maximum number of hours for which the minimum wage established by the Board shall be paid.

Rev. Stat.,  
c. 277, s. 11,  
amended.

(2) The said section 11 as amended by section 14 of *The Statute Law Amendment Act, 1929*, is further amended by adding thereto the following subsections:

Establish-  
ment of  
minimum  
wage.

(1a) The Board may upon due inquiry being made by it establish for any class of employment the minimum wage which shall be paid to every employee therein for the maximum number of hours of labour in any week provided by subsection 1, and may also establish

shorter

shorter weekly hours of labour for which the minimum wage must be paid in any industry or class of employment where the prevailing weekly hours of labour are or appear to be less than the said maximum.

- (1b) Every employee in a class of employment for which <sup>Overtime wages.</sup> a minimum wage has been or is established who performs in any week more than the maximum number of hours of labour provided by subsection 1, shall for every hour and portion of an hour in excess thereof, be paid in addition to the minimum wage, wages at a rate per hour not less than the rate per hour at which the minimum wage for the maximum number of hours is established, or where the weekly hours of labour as established by the Board are less than the maximum number of hours at a rate per hour not less than the rate per hour at which the minimum wage for such weekly hours of labour is established.
- (1c) Every employee in a class of employment for which a <sup>Part-time wages.</sup> minimum wage has been or is established who performs in any week less than the maximum number of hours of labour provided by subsection 1, shall be paid wages for every hour and fraction of an hour of such labour at a rate not less than the rate per hour at which the minimum wage for the said maximum number of hours is established or where the weekly hours of labour as established by the Board are less than the said maximum number of hours at a rate per hour not less than the rate per hour at which the minimum wage for such weekly hours of labour is established.
- (6) Wherever, as determined by the Board, any male <sup>Minimum wages for male employees replacing females.</sup> employee replaces any female employee at any class of employment for which a minimum wage is established, such male employee shall be paid a wage not less than the established minimum wage and for the same maximum number of hours, or a rate of wages per hour not less than the rate per hour at which such minimum wage for the maximum number of hours of labour in any week is established.
- (7) No employer shall discharge or threaten to discharge <sup>Discharge of employees.</sup> or in any way discriminate against any employee, male or female, because such employee has lodged a complaint with the Board or has testified or is about to testify in any investigation or proceedings permitted or prescribed by or taken under the provisions of this Act.

Rev. Stat.,  
c. 277, s. 21,  
subs. 1,  
amended.

3.—(1) Subsection 1 of section 21 of *The Minimum Wage Act*, as amended by subsection 1 of section 5 of *The Minimum Wage Act, 1932*, is further amended by inserting after the word “contravenes” in the first line the words “the provisions of section 11 or,” and by striking out the words and figures “\$200 and not less than \$20” in the fourth line and inserting in lieu thereof the words and figures “\$500 and not less than \$25,” and by striking out all the words after the word “pay” in the sixth line and inserting in lieu thereof the words “to the Board for such employees the difference between the wages actually received for the full period not exceeding one year prior to the making of the complaint or laying of the information upon which such employer is convicted and the wages established by the Board; provided that no order for payment of any difference in wage shall be made for any period prior in time to the date upon which the minimum wage was established by the Board,” so that the said subsection shall now read as follows:

Penalties  
and payment  
of arrears.

- (1) Every employer who contravenes the provisions of section 11 or any order of the Board in regard to wages or hours shall be guilty of an offence and shall incur a penalty not exceeding \$500 and not less than \$25 for each employee affected, and in addition thereto shall upon conviction be ordered to pay to the Board for such employees the difference between the wages actually received for the full period not exceeding one year prior to the making of the complaint or laying of the information upon which such employer is convicted and the wages established by the Board; provided that no order for payment of any difference in wage shall be made for any period prior in time to the date upon which the minimum wage was established by the Board.

Rev. Stat.,  
c. 277, s. 21,  
subs. 4  
(1932, c. 36,  
s. 5, subs. 2),  
amended.

- (2) Subsection 4 of the said section 21, as enacted by subsection 2 of section 5 of *The Minimum Wage Act, 1932*, is amended by striking out the figures “\$20” in the sixth line and inserting in lieu thereof the figures “\$100.”

Rev. Stat.,  
c. 277, s. 21,  
subs. 5  
(1932, c. 36,  
s. 5, subs. 2),  
amended.

- (3) Subsection 5 of the said section 21, as enacted by subsection 2 of section 5 of *The Minimum Wage Act, 1932*, is amended by striking out the words and figures “\$300 and not less than \$50” in the fourth line and inserting in lieu thereof the words and figures “\$1,000 and not less than \$100.”

Rev. Stat.,  
c. 277, s. 21,  
amended.

- (4) The said section 21 as amended by section 5 of *The Minimum Wage Act, 1932*, is further amended by adding thereto the following subsection:

- (6) Any employer convicted of a second or subsequent offence under subsection 1 or 5 may be imprisoned <sup>Imprisonment.</sup> for a period not exceeding six months and not less than two months.

4. This Act shall come into force on the day upon which <sup>Commence-</sup> it receives the Royal Assent. <sup>ment of Act.</sup>

## CHAPTER 32.

## An Act to amend The Mining Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Mining Act, 1934*.

Rev. Stat.,  
c. 45, s. 80,  
subs. 9,  
re-enacted.

2. Subsection 9 of section 80 of *The Mining Act* is repealed and the following substituted therefor:

Survey to  
count as  
forty days'  
work.

(9) The survey of a mining claim made in pursuance of section 105 or 106, on the plan and field notes thereof being filed with the Mining Recorder within the prescribed time, shall count as forty days' work on the surveyed claim, except in respect of the work required by subsection 1 of this section to be done within three months immediately following the recording of the claim.

Rev. Stat.,  
c. 45, s. 108,  
subs. 3,  
re-enacted.

3. Subsection 3 of section 108 of *The Mining Act* is repealed and the following substituted therefor:

When  
recorded  
claim  
includes  
lands  
accidentally  
omitted and  
disposition  
of gores and  
fractions.

(3) Where two or more mining claims in unsurveyed territory are contiguous and constitute a group recorded in the name of one licensee, and it was the manifest intention of the applicant or applicants, as shown by the sketch or sketches accompanying his or their application or applications for the same, to include as part of such mining claims all lands and lands under water within the limits of the said group, and a survey shows that certain of the lands or lands under water are not so included, such lands or lands under water shall nevertheless be deemed to be part and parcel of the claim or claims in which it was the manifest intention that they should be included; and where two or more mining claims are contiguous and are recorded in the name or names of more than one licensee, any fraction or gore shown or created

by

by a survey shall not be open for staking out until the Minister so directs, and the Minister on the report of the Surveyor-General, may award such fraction or gore, or part thereof, to the recorded holder or holders of either or both of the contiguous claims, or may sell, lease, or otherwise dispose of the same as he may see fit without requiring such fraction or gore to be staked out as a mining claim.

4. Item 36 of schedule "A" to *The Mining Act* is amended by striking out the figures "64" and inserting in lieu thereof the figures "63," so that the said item shall now read as follows:

Rev. Stat.,  
c. 45,  
Sched. "A,"  
Item 36,  
amended.

36. For filing an application for a mining claim  
under section 63..... 10.00

5. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 33.

## The Mortgagors' and Purchasers' Relief Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Mortgagors' and Purchasers' Relief Act, 1934.*

1933, c. 35,  
continued in  
force.

**2.—(1)** Notwithstanding anything contained in section 36 of *The Mortgagors' and Purchasers' Relief Act, 1933*, all the other provisions of the said Act shall subject to the provisions of subsection 2 of this section, continue in force and have effect until the 30th day of June, 1935.

Power of  
Lieutenant-  
Governor  
in Council to  
terminate  
or limit  
operation  
of Act.

**(2)** The Lieutenant-Governor in Council may at any time terminate the operation of the said Act, or provide that the said Act shall have effect subject to such limitations as may be contained in the Order-in-Council.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 34.

## The Municipal Amendment Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Municipal Amendment Act, 1934.* Short title.

**2.** Section 40 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 40, amended.

- (2) Taxes collectible under the provisions of subsection 1 shall be a prior lien upon the land upon which the same were levied in priority to any taxes subsequently levied thereon, and such prior lien shall not be lost or destroyed by reason of such lands being sold for taxes subsequently levied or by reason of such lands under the authority of any Act being vested in the municipality of which the district is formed or to which it is attached because of the non-payment of taxes subsequently levied. Priority of lien for taxes levied before detachment of lands.

**3.** *The Municipal Act* is amended by adding thereto the following section: Rev. Stat., c. 233, amended.

109a.—(1) In this section,—

Interpretation

- (a) “Election” and “municipal elections” shall apply to and include an election or by-election for a council, board of education, school board, public utility commission or other board, commission or body the members of which are required to be elected by the electors of the municipality and shall also apply to and include voting on any by-law and question submitted to the electors under the authority of this or any other general or special Act; “Election,” “municipal elections.”

(b)

"Railway employees."

(b) "Railway employees," in addition to their ordinary meaning, shall include railway mail clerks employed by the Post Office Department of Canada and railway express clerks employed by an express company;

"Commercial travellers."

(c) "Commercial travellers" shall mean members of The Ontario Commercial Travellers Association, The Dominion Commercial Travellers Association, The North-west Commercial Travellers Association, The Maritime Commercial Travellers Association, The Toronto Commercial Travellers Association, or any of them.

Application of section.

(2) This section shall apply to any municipality the council of which passes a by-law declaring that it shall apply and any such by-law shall be in force from year to year until repealed.

Petition for passing by-law.

(3) If a petition signed by at least twenty-five electors who are commercial travellers or railway employees, is presented to the council at least two weeks prior to the date of the nomination meeting asking that a by-law be passed declaring that this section shall apply, it shall be the duty of the council to pass a by-law in accordance with the petition.

To whom section to apply.

(4) This section shall apply only to railway employees and commercial travellers whose employment is such as to necessitate their absence from time to time from the municipality who are entitled to vote at municipal elections and who have reason to believe that they will be absent from the municipality on the day fixed for holding the poll at the election which is to be held.

Holding of poll.

(5) For the purpose of enabling every railway employee and commercial traveller mentioned in subsection 4 to vote at the election which is to be held, a poll shall be held and be open from nine o'clock in the forenoon until five o'clock in the afternoon for such number of days not exceeding three, exclusive of Sunday, immediately preceding the day for holding the poll at the election, at the city, town, village or township hall, or at some other convenient place chosen by the clerk, and notice of the time and place of holding such poll shall be given by the clerk by publication in a newspaper for such time as may be thought proper by the council.

- (6) Except as otherwise provided all the provisions of <sup>Application of Act.</sup> this Act as to proceedings prior to the holding of the poll and at the poll, and after the closing of the poll, shall apply.
- (7) In a municipality where the election is to be held <sup>Poll book for each ward.</sup> by wards there shall be a separate poll book for each ward.
- (8) In a municipality where the election is by general <sup>Deputy returning officer.</sup> vote the clerk or some other person appointed by him shall act as deputy returning officer, and in a municipality where the election is by wards the clerk may act as deputy returning officer for one or more wards or may appoint one or more persons to act as deputy returning officers for one or more wards, and may also appoint as many poll clerks as there are deputy returning officers.
- (9) Every railway employee offering himself as a voter <sup>Declaration of railway employee.</sup> at the polling place before being allowed to vote shall be required by the deputy returning officer to make the following declaration, which shall be kept by the deputy returning officer with the other records of the poll:

I,....., declare that I am at present employed by.....railway company, *or* by the Post Office Department, *or* by the.....express company (*as the case may be*), and that I expect in the course of my employment to be absent from this municipality on the day for holding the poll at the municipal elections to be held on the.....day of....., 19 ..

Dated at....., this.....day of....., 19 ..

.....  
*Name of Voter*

WITNESS:

*Deputy Returning Officer.*

- (10) Every commercial traveller offering himself as a <sup>Declaration of commercial traveller.</sup> voter at the polling place, before being allowed to vote shall produce his certificate of membership in a Commercial Travellers Association to the deputy returning officer, and, if required, make the following declaration, which shall be kept by the deputy returning officer with the other records of the poll:

I,..... declare that I am a member of the .....Commercial Travellers Association; that the number of my certificate of membership for the current year is.....; and that I expect in the course of my business

to be absent from this municipality on the day for holding the poll at the municipal elections to be held on the..... day of....., 19 ..

Dated at....., this.....day of....., 19 ..

.....  
Name of Voter

WITNESS:

*Deputy Returning Officer.*

Penalty for false statement.

- (11) Any person signing any declaration set out in this section knowing the statements therein are false shall incur a penalty of not less than \$25 and not more than \$100.

Record in poll book.

- (12) The poll clerk shall enter in the poll book in the column headed "Remarks" under the name of every elector who votes under this section, a note that he has signed the declaration above set out which is applicable to such elector.

Qualification of voter.

- (13) No person shall be entitled to vote unless his name appears on the last revised voters' list for the municipality.

Oath.

- (14) The deputy returning officer and every candidate or his agent may require that the voter, before being handed a ballot, take the oath to be administered to a voter under this Act.

Fixing of seals.

- (15) [At the close of the poll each day the deputy returning officer and any candidate or agent present who desires to do so, shall affix his seal to the ballot box in such a manner that it cannot be opened or any ballots be deposited in it without breaking the seals.

Opening ballot box and counting ballots.

- (16) On the day fixed for holding the poll at the election the deputy returning officer at the polling place and in the presence of such candidates and their agents as may be present, shall at the hour fixed for the closing of the poll, open the ballot box, count the votes and perform all the other duties required of a deputy returning officer by this Act with respect to the votes polled under the provisions of this section.

Rev. Stat.,  
c. 233, s. 117,  
subs. 1,  
amended.

4.—(1) Subsection 1 of section 117 of *The Municipal Act* is amended by striking out the words "blindness or other physical cause" in the second and third lines and inserting in lieu thereof the words "physical cause other than blindness"

so that the said subsection, exclusive of clauses *a* and *b*, shall now read as follows:

- (1) The deputy returning officer on the application of a voter who is incapacitated by physical cause other than blindness from marking his ballot paper, or who makes a declaration, Form 10, that he is unable to read, or where the voting is on a Saturday that he is of Jewish persuasion and objects on religious grounds to mark his ballot paper in the manner prescribed by section 114, the deputy returning officer shall—  
Proceedings in case of incapacity to mark ballot paper.
- (2) The said section 117 is amended by adding thereto the following subsections:  
Rev. Stat., c. 233, s. 117, amended.
- (3) The deputy returning officer on the application of any voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, shall require the voter making such application to make a declaration, Form 10, of his incapacity to vote without assistance, and shall thereafter assist such voter by marking his ballot paper in the manner directed by such voter in the presence of the sworn agents of the candidates, or of the sworn electors representing the candidates in the polling place and of no other person, and place such ballot in the ballot box.  
Voter incapacitated by blindness, etc.
- (4) The deputy returning officer shall either deal with a blind voter in the same manner as with an illiterate or otherwise incapacitated voter, or at the request of any blind voter who has made the declaration, Form 10, and is accompanied by a friend, shall permit such friend to accompany the blind voter into the voting compartment and mark the voter's ballot for him.  
Blind voter's ballot marked by friend.
- (5) Any friend who is permitted to mark the ballot of a blind voter as aforesaid, shall first be required to make a declaration, Form 10*a*, that he will keep secret the name of the candidate for whom the ballot of such blind voter is marked by him, and no person shall at any polling place be allowed to act as the friend of more than one blind voter.  
Oath of friend.
- (6) The deputy returning officer shall enter in the column for remarks in the poll book opposite the voter's name, the reason why such ballot paper was marked by him, or by a friend of the voter.  
Reasons to be noted.

Rev. Stat.  
c. 233, s. 311,  
amended.

5. Section 311 of *The Municipal Act* is amended by adding thereto the following subsections:

Consolidated  
interest  
account.

- (2) The council of a city may by by-law provide and direct that instead of a separate account of the interest upon every debt being kept, a consolidated account of the interest upon all debts may be kept, but which consolidated account shall be so kept that it will be possible to determine therefrom the true state of the interest account upon every debt and that provision has been made to meet the interest upon every debt.

Consolidated  
sinking fund  
account.

- (3) The council of any city may by by-law provide that instead of a separate bank account being kept for the sinking fund of every debt which is to be paid by means of a sinking fund, a consolidated bank account may be kept in which there may be deposited the sinking funds of all debts which are to be paid by such means, but which consolidated bank account shall be so kept that the requirements of the sinking fund of every debt are duly provided for.

Rev. Stat.,  
c. 233,  
amended.

6. *The Municipal Act* is amended by adding thereto the following section.

Officers and  
constables,  
agreement as  
to services.

- 375a. The board of police commissioners, if any, and if none, the council of any municipality bordering on or situate within ten miles of a city having a population of not less than 100,000 may by agreement with the board of police commissioners of such city provide that the services of officers and constables of the police force of such city shall be available in such municipality on such terms and conditions as may be set forth in the agreement, and when any such agreement is entered into and the services in such municipality of any of the officers or constables of the police force of such city are availed of, such officers and constables shall for all purposes have and possess and may exercise and perform in the municipality all their powers and duties as members of the police force of the municipality and with the same rights, privileges and immunities as if they had been appointed as members of the police force of such municipality; and the board of police commissioners of a city having a population of not less than 100,000 shall have power to enter into agreements under the authority of this section.

Rev. Stat.,  
c. 233, s. 399,  
para. 4,  
amended.

7.—(1) Paragraph 4 of section 399 of *The Municipal Act* is amended by inserting after the word "of" in the first line

the

the words "frame, wooden," and by inserting after the word "the" in the second line the words "foundations and foundation walls," so that the said paragraph shall now read as follows:

4. For regulating the size and strength of frame, wooden, brick, stone, cement and concrete walls, and of the foundations and foundation walls, beams, joists, rafters, roofs and their supports of all buildings to be erected, altered or repaired, and for requiring the production of the plans of all buildings, and for charging fees for the inspection and approval of such plans, and fixing the amount of the fees and for the issuing of a permit certifying to such approval without which permit no building or structure may be erected, altered or repaired. Size and strength of walls, etc., and production of plans.

(2) Paragraph 20 of the said section 399 is amended by inserting after the word "them" in the second line the words "without foundations and foundation walls or". Rev. Stat., c. 233, s. 399, para. 20, amended.

8. Paragraph 10 of section 400 of *The Municipal Act* is amended by adding at the end thereof the words "or by clause *d* of paragraph 11 of this section," so that the said paragraph shall now read as follows: Rev. Stat., c. 233, s. 400, para. 10, amended.

10. For imposing, levying and collecting fees for the use of such weighing machines, not being contrary to the limitations prescribed by subsection 8 of section 401 or by clause *d* of paragraph 11 of this section. Weighing machines.

9. Paragraph 11 of section 400 of *The Municipal Act* as amended by section 9 of *The Municipal Amendment Act, 1928*, is further amended by adding thereto the following clause: Rev. Stat., c. 233, s. 400, para. 11, amended.

- (*d*) No fees may be imposed, levied or collected for weighing coal or coke greater than 10 cents a load. Fees for weighing coal or coke.

10. Section 406 of *The Municipal Act* as amended by section 7 of *The Municipal Amendment Act, 1929*, is further amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 406, amended.

12. For licensing, regulating and governing lending libraries which are carried on or operated for the purpose of profit or gain. Lending libraries,—power to license.

- (*a*) The fee to be paid for the license shall not exceed \$2.

(*b*)

- (b) Nothing in this paragraph contained shall apply to or affect the lending or circulation of books, magazines, periodicals or other printed works by any religious body or incorporated educational institution.

Rev. Stat.,  
c. 233, s. 411,  
amended. **11.** Section 411 of *The Municipal Act* as amended is further amended by adding thereto the following paragraph:

Junk yards,  
second-hand  
shops,—  
regulation of.

- 8b. For regulating and controlling the location of junk shops, junk yards and second-hand shops and for prohibiting the use of land or the erection or use of buildings for all or any of such purposes within any defined area or areas or on land abutting on any defined highway or part of a highway.

Rev. Stat.,  
c. 233, s. 412,  
amended. **12.** Section 412 of *The Municipal Act* is amended by adding thereto the following paragraph:

Location of  
lumber  
yards, etc.

3. For regulating and controlling the location of yards in which new or used lumber, wood, building materials or building supplies are stored or kept for sale and planing mills, and for providing that the same shall not be located until a permit is first obtained from the council, and for prohibiting the location of the same or any of them in defined areas or upon land abutting on defined highways or portions of highways.

Rev. Stat.,  
c. 233, s. 414,  
heading,  
re-enacted. **13.** The heading of section 414 of *The Municipal Act* as amended by section 17 of *The Municipal Amendment Act, 1932*, is repealed and the following substituted therefor:

414. BY-LAWS MAY BE PASSED BY THE COUNCILS OF TOWNS, VILLAGES AND TOWNSHIPS.

Rev. Stat.,  
c. 233, s. 415,  
para. 1,  
amended. **14.** Paragraph 1 of section 415 of *The Municipal Act* is amended by inserting after the word "paragraphs" in the fifth line the figures and word "3, 4, 5, 8, 9 and" so that the said paragraph shall now read as follows:

Prevention  
of fires.

1. Within defined areas, where the number of the inhabitants or the proximity of buildings in any part of the township renders it expedient to do so, for exercising the powers conferred on the councils of urban municipalities by paragraphs 3, 4, 5, 8, 9 and 18 to 37 of section 399.

Rev. Stat.,  
c. 233, s. 419,  
para. 1  
(1930,  
c. 44, s. 20),  
re-enacted. **15.—(1)** The first four lines of paragraph 1 of section 419 of *The Municipal Act* as re-enacted by section 20 of *The Municipal Amendment Act, 1930*, are repealed and the following substituted therefor:

1. For licensing, regulating and governing junk shops, junk yards, second-hand shops and dealers in second-hand goods, and for revoking the license. Licensing and regulating junk shops, etc.

(2) Clause *d* of the said paragraph 1 of section 419 is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 419, para. 1, cl. d, re-enacted.

- (d) For the purposes of this Act, "junk yard" shall include an automobile wrecking yard or premises, and "second-hand goods" shall include waste paper, rags, bones, bottles, bicycles, automobile tires, old metal and other scrap material and junk. "Junk yard",—meaning of.

**16.** The heading of section 422 of *The Municipal Act* as amended by subsection 1 of section 18 of *The Municipal Amendment Act, 1932*, is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 422, heading, re-enacted.

422. BY-LAWS MAY BE PASSED BY THE COUNCILS OF TOWNSHIPS, COUNTIES, TOWNS AND VILLAGES, AND OF CITIES HAVING A POPULATION OF LESS THAN 100,000, AND BY THE BOARD OF COMMISSIONERS OF POLICE OF CITIES HAVING A POPULATION OF NOT LESS THAN 100,000.

**17.** Paragraph 1 of section 424 of *The Municipal Act* is amended by adding at the end thereof the following words, "and for establishing a maximum and minimum tariff of charges to be made by persons engaging in any such business" so that the said paragraph shall now read as follows: Rev. Stat., c. 233, s. 424, para. 1, amended.

1. For licensing, regulating, and governing the business of dry cleaners, dry dyers, cleaners and pressers, and persons engaged in those and similar businesses in which gasoline, carbon bisulphide, naphtha, benzine, benzol, or other light petroleum or coal-tar products or volatile or inflammable liquids are used; for imposing and collecting a license fee from persons engaging in any such business; for delegating to the architect or some other person the duty of issuing such licenses and signing the same on behalf of the municipality; and for authorizing the architect or some other person named to allow such variation from the standard requirements in the case of existing businesses as he may approve of, where such variation will not, in his opinion, unreasonably prejudice the safety of the public; and for establishing a maximum and minimum tariff of charges to be made by persons engaging in any such business. Licensing, etc., dry cleaners, pressers, etc.  
License fee.  
Issue of licenses.  
Authority of architect, etc., to vary requirements in certain cases.  
Tariff of charges.

**18.** *The Municipal Act* is amended by adding thereto the following form: Rev. Stat., c. 233, amended.



## CHAPTER 35.

## An Act to amend The Northern Development Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

**1.** This Act may be cited as *The Northern Development Act*, Short title. 1934.

**2.** *The Northern Development Act* is amended by adding thereto the following section: Rev. Stat., c. 36, amended.

**13a.**—(1) By-laws may be passed by the council of any municipality in a judicial district authorizing and approving of any agreement or arrangement with one or more other such municipalities and with the Minister for acquiring, opening, constructing, maintaining or repairing any road, and for the payment of a proportion of the cost thereof, notwithstanding that under such agreement or arrangement such municipality may be liable for a portion of the cost of acquiring, opening, constructing, maintaining or repairing a road outside of the boundaries of such municipality. Power to pass by-laws approving agreements, etc., in districts.

(2) The Minister shall be a party to any agreement or arrangement made under the provisions of this section and such agreement or arrangement shall not be effective or acted upon until approved by the Minister. Minister to be party to agreement etc.

(3) The agreement or arrangement referred to in this section may extend over any period not exceeding five years and shall be binding upon the municipality until completed, and any authorizing by-law passed under the provisions of this section shall not be open to question, or be quashed, set aside or declared invalid either wholly or in part at any time after the Minister has approved of such agreement or arrangement. Duration of agreement.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 36.

## An Act to appropriate funds for Northern Development Purposes.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Northern Ontario Appropriation Act, 1934.*

Additional appropriation of \$3,000,000.

**2.** In addition to the amounts provided by *The Northern Ontario Appropriation Acts* heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of \$3,000,000 and the same shall be applied for the purposes set out in *The Northern Development Act* and in *The Returned Soldiers' and Sailors' Land Settlement Acts*, or any of them.

Rev. Stat., c. 36; 1917, c. 13; 1919, c. 15.

When additional sums required.

**3.** The Lieutenant-Governor in Council may place to the credit of the said fund such additional sum or sums as may be required to meet payments which may be authorized to be met out of the said fund and for the purposes set out in the said Acts or any of them.

Approval of Order-in-Council of 20th June, 1933, re Cochrane Co-Operative Dairy Company, Limited.

**4.** The Order-in-Council approved by His Honour the Lieutenant-Governor in Council on the 20th day of June, 1933, relative to the distribution of the sum of \$4,000 to wind up the affairs of the Cochrane Co-Operative Dairy Company, Limited, is confirmed and declared to be and to have been valid for all purposes.

Commencement of Act.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 37.

An Act respecting The Ontario Institute of  
Radio-Therapy.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** This Act may be cited as *The Ontario Institute of Radio-* Short title.  
*Therapy Act, 1934.*

**2.** The agreement set forth in schedule "A" hereto is hereby Agreement  
confirmed and declared to be legal, valid and binding on the validated.  
parties thereto respectively.

**3.** The moneys respectively payable from time to time Moneys due  
under the said agreement shall be payable out of the agreement  
Consolidated Revenue Fund. to be paid  
out of  
Consolidated  
Revenue  
Fund.

**4.** This Act shall come into force on the day upon which Commence-  
it receives the Royal Assent. ment of Act.

## SCHEDULE "A"

AGREEMENT *RE* CANCER INSTITUTE

This Agreement made in duplicate this Fifteenth day of January, in  
the year One Thousand Nine Hundred and Thirty-four.

BETWEEN:

HIS MAJESTY THE KING in the right of the Province of  
Ontario, represented herein by the HONOURABLE JOHN  
MORROW ROBB, Minister of Health for the Province of  
Ontario (hereinafter called the "Government"),

of the first part;

—and—

THE BOARD OF HOSPITAL TRUSTEES OF THE CITY OF  
LONDON (hereinafter called the "Hospital"),

of the second part.

Whereas the Government has requested the Hospital to provide facilities  
for the care and treatment of patients suffering from malignant or possibly  
malignant conditions and the Hospital has agreed thereto:

Witnesseth

Witnesseth that in consideration of the mutual covenants and agreements hereinafter set forth and other valuable considerations, the Government and the Hospital mutually covenant and agree as follows:

1. The Government will pay to the Hospital an annual sum of Nine Thousand Dollars (\$9,000.00) and such annual amount shall be paid half yearly as follows, that is to say: At the end of each half year from the date of this agreement during the term of ten years from the date of this agreement.

2. The Government shall, without any expense of any kind to the Hospital, provide radium and radium emanation in such quantities at the place of treatment in an addition to Victoria Hospital in the City of London, such addition to be known as the Ontario Institute of Radio-Therapy (London), hereinafter called the Institute, as shall be required.

3. The Hospital, upon the execution of this agreement by the parties hereto, shall, without delay, provide suitable building accommodation, equipment and necessary supplies, other than radium and radium emanation for the care and treatment of indigent patients suffering from malignant or possibly malignant conditions, and will further provide and maintain a section of twenty (20) beds for the hospitalization of such patients.

4. The Hospital shall equip the Institute for the scientific study and application of all forms of treatment of Roentgen Rays, Radium and Radioactive substances other than supplying radium and radium emanation.

5. The Hospital shall accept for diagnosis and treatment, persons suffering from malignant and possibly malignant conditions, who are *bona fide* residents of the Province of Ontario, up to the limit of the capacity of the Institute and bed accommodation as agreed upon in this agreement. These patients may be referred to the Institute by any duly qualified practitioner in the Province of Ontario. The responsibility of payment will be as provided by *The Public Hospitals Act, 1931*, with subsequent amendments thereto and the regulations passed thereunder. For patients who may not be indigents under the terms of *The Public Hospitals Act, 1931*, the Hospital may charge rates in excess of the statutory per diem allowance for the maintenance of indigent patients and such patients will be termed "Pay" patients. The fees charged for diagnostic service and pay patient service shall be as approved by the Government, after recommendations have been made by the Supervising Committee, which Committee shall be created under this agreement. The understanding of this agreement is that these rates shall be in line with, but not in excess of, the rates charged for similar quality of service in other departments of the Hospital.

6. The Institute shall, at all times, be responsible to and under the direction of the Hospital, and shall be governed by the Rules and Regulations as may be promulgated from time to time by the Hospital.

7. All Radio-Therapeutic work undertaken and carried on by the Institute shall be in conformity with the Rules and Regulations passed and approved by the International Safety Committee of Radiologists.

8. A Supervising Committee of five (5) non-medical members, except as hereinafter provided, shall be appointed in the manner following:

- (a) Two members shall be appointed by the Government, one of whom may be the Minister of Health;
- (b) One member shall be appointed by the Hospital;
- (c) Two members shall be appointed by the University of Western Ontario;
- (d) The Committee shall choose one of its members as a Chairman;
- (e) Any vacancy occurring in the membership of the Supervising Committee shall be filled in the same manner.

9. The Supervising Committee as appointed herein shall be considered

as the representative of the public in the operation of the Institute. This Committee will have full access to the records and all details of the Institute services. It will hold quarterly meetings, at which meetings the work of the Institute shall be reviewed. This Committee will have full authority to investigate any service, policy of detail of the Institute and shall submit regular reports to the Department of Health. The Committee shall investigate the charges made for service and the efficiency of the Institute service and keep the Department of Health advised as to whether the terms of this agreement are being carried out. The Committee will, from time to time, make such recommendations to the Government or the Hospital in respect to the service and the charges made therefor which seem necessary in order to carry out the service agreed upon under the terms of this agreement. The Committee shall function as an Advisory organization to both the Government and the Hospital with respect to the service being given by the Institute.

10. The Medical Staff of the Institute shall include the Dean of the Medical Faculty of the University of Western Ontario, and the Heads of the Departments of Medicine, Physics, Orthopaedic Surgery, General Surgery, Genito-Urinary Surgery, Obstetrics-Gynaecology, Ophthalmology-Otolaryngology, Pathology and Radiology in the Medical Faculty of the University of Western Ontario and the Medical Superintendent of Victoria Hospital, if any. Additional members to the Medical Staff of the Institute may be appointed by the Hospital, provided that such appointments are approved by the Supervising Committee and the Medical Staff as constituted in this paragraph.

11. The Supervising Committee, on the advice of the Medical Staff of the Institute, shall nominate to the Hospital, one of the Medical Staff, as Chief of the Medical Staff of the Institute and one of the said Medical Staff as Radiologist and one of the said Medical Staff as Medical Registrar and Honorary Secretary, and if such nominations be approved by the Hospital, the Hospital shall appoint such members accordingly. The Medical Staff of the Institute shall meet monthly when the work of the Institute shall be reviewed from a medical-staff standpoint.

12. This Committee shall arrange and appoint adequate and competent professional and business supervisions or direction of the Institute. This direction or supervision shall include responsibility for:

- (a) The use and application of Roentgen Rays, Radium and Radio-active substances.
- (b) Radiological service.
- (c) Guardianship of all Radium, Radio-active substances and all X-ray and other apparatus and equipment of the Institute.
- (d) Laboratory services of the Institute required for the preparation of and the physical and chemical investigation of the properties, actions and uses of Roentgen Rays, Radium and other Radio-active substances.
- (e) The co-operation of the active staff of the Institute in the investigation and treatment of all patients referred to the Institute and in the preparing of histories and follow-up service.
- (f) For the organization of records and social service activities which shall give the details of the history of the examination for cancer in the different regions of the body, the details of the treatment by Radium or X-ray and the results of the periodic examination at intervals for a period of at least five years following treatment and for the indicating of this information on forms which shall be approved by the Minister of Health of the Province of Ontario.
- (g) The permanent preservation of microscopic slides and gross material and for the filing of all material in such a way that a review of the material may be readily accomplished at some future time when special study of the subject may be required.
- (h) The adequate staffing of the department and control of same.

13. It is understood and agreed between the parties hereto as follows;

- (a) All patients in the Institute occupying public ward beds shall, as in the case of all other public service in the Victoria Hospital, be subject to clinical investigation and instruction as is now conducted in the public wards of the Hospital.
- (b) All private patients of the Institute must be referred by a duly qualified medical practitioner, and the Institute reserves the right fully to investigate the patient's condition to determine whether or not it is a suitable case for radiation therapy, either alone or in combination with other forms of therapy.
- (c) Should the patient not be considered suitable for the treatment as mentioned in paragraph "b" hereof, the medical practitioner, referring such patient, shall be forthwith notified.
- (d) Should a private patient's condition necessitate operative treatment combined with radio-therapy and such patient has been referred to the Institute by a duly qualified medical practitioner, such medical practitioner may be extended the privilege of carrying out the operative treatment in co-operation with a member of the Radiological staff of the Institute.

14. The Government may appoint one or more representatives who shall, from time to time, have power to inspect all records and equipment of the Institute.

15. The parties hereto hereby agree that this Agreement shall be binding upon their respective successors and assigns.

In witness whereof these Presents have been duly executed under seal.

Signed, Sealed and Delivered  
in the presence of

C. J. TELFER

K. GRANT CRAWFORD,  
as to T. F. Kingsmill.

JOHN M. ROBB.

T. F. KINGSMILL, JR.,  
*Chairman,*  
*Victoria Hospital Trust.*

G. A. WENIGE.

## CHAPTER 38.

## An Act to amend The Ontario Marketing Act, 1931.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Ontario Marketing Act, 1934*. Short title.
2. *The Ontario Marketing Act, 1931*, is amended by adding thereto the following sections:
  - 4a. The Board may with the approval of the Lieutenant-Governor in Council exercise such powers and functions under *The Natural Products Marketing Act, 1934* (Canada) as may be conferred upon the Board by the Governor in Council under the authority of the said Act. Board may function under Marketing Act (Canada).
  - 4b. The Lieutenant-Governor in Council may confer upon any board established by or under the authority of *The Natural Products Marketing Act, 1934* (Canada), such powers and functions with reference to the marketing in Ontario of natural products as the Lieutenant-Governor in Council may deem necessary or expedient, provided the board is first authorized by or under the authority of the said Act to exercise such powers and functions. Authority to Dominion Marketing Board to function in Ontario.
  - 4c. The Lieutenant-Governor in Council may authorize all such acts, matters and things which he may deem to be necessary or expedient for the purpose of carrying out the provisions of sections 4a and 4b. Incidental authority.
3. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

## CHAPTER 39.

An Act to amend The Ontario Municipal Board Act,  
1932.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Ontario Municipal Board Act, 1934*.

1932, c. 27,  
s. 61,  
amended.

2. Section 61 of *The Ontario Municipal Board Act, 1932*, is amended by adding thereto the following subsections:

Provincial  
Municipal  
Auditor.

(3) The Lieutenant-Governor in Council may designate which officer of the board shall be known as and have, exercise and perform the powers and duties of the provincial municipal auditor under this or any other Act.

Pro tem  
appoint-  
ment.

(4) During the absence or in the inability of the provincial municipal auditor to act, or in case of a vacancy in his office, the chairman of the board may appoint a member or officer of the board to act for the time being as provincial municipal auditor, and such person while so appointed shall have and may exercise all the powers and perform all the duties of the provincial municipal auditor under this or any other Act.

1932, c. 27,  
s. 78,  
amended.

3. Section 78 of *The Ontario Municipal Board Act, 1932*, is amended by adding thereto the following clause:

Power  
of investi-  
gation.

(hh) inquire at any time into any or all of the affairs, financial and otherwise, of a municipality and hold such hearings and make such investigations in respect thereof as may appear necessary or expedient to be made in the interests of such municipality, its ratepayers, inhabitants and creditors and particularly to make and hold such inquiries, hearings and investigations for the purpose of avoiding any default or recurrence of default by any municipality in meeting its obligations.

4. Section 83 of *The Ontario Municipal Board Act, 1932*, 1932, c. 27, s. 83, re-enacted.  
is repealed and the following substituted therefor:

83.—(1) In any case where either prior or subsequent to the issue and sale of any debentures issued or to be issued by a municipality, application is made to the board for its approval of any by-law authorizing the issue of such debentures, and of the debentures, the board may approve the by-law and certify the validity of the debentures, notwithstanding any illegality, invalidity or irregularity in the by-law or debentures or in any of the proceedings relating or incidental thereto occurring, had or taken prior or subsequent to the final passing of the by-law or issue of the debentures.

Validation of  
by-laws and  
debentures.

(2) Every by-law of a municipality approved by the board and every debenture issued thereunder bearing the seal and certificate of the board shall for all purposes be legal, valid and binding upon the corporation of such municipality and the ratepayers thereof and upon the property liable for any rate imposed by or under the authority of any statute or of the by-law, and every such debenture shall be good and indefeasible security according to the tenor thereof in the hands of any *bona fide* holder thereof as if such debenture had been validated and declared to be legal and binding by an Act specially passed for such purpose, and the validity of the by-law and of every such debenture may not be contested or questioned for any cause whatsoever, nor shall it be necessary to its or their validity that the judgment or opinion of any court or person be requisite or obtained.

Effect of  
validation  
by board

(3) The board shall not approve any by-law of a municipality or certify the validity of any debenture issued thereunder if such by-law has been set aside, quashed or declared to be invalid by any court.

No approval  
if by-law  
quashed, etc.

5. Section 87 of *The Ontario Municipal Board Act, 1932*, 1932, c. 27, s. 87, re-enacted.  
is repealed and the following substituted therefor:

87. The board, upon any application of a municipality for approval of the exercise by a municipality of any of its powers or of the incurring of any debt, or of the issue of any debentures, or of any by-law, shall before approving the same make such inquiry into the nature of the power sought to be exercised or undertaking which is proposed to be or has been proceeded with, the necessity or expediency of the

Scope  
of board  
inquiry.

same, the financial position and obligations of the municipality, the burden of taxation upon the rate-payers and into all other relative matters as in the opinion of the board may appear to be necessary or expedient.

1932, c. 27,  
s. 88, re-  
enacted.

6. Section 88 of *The Ontario Municipal Board Act, 1932*, as amended by section 37 of *The Statute Law Amendment Act, 1933*, is repealed and the following substituted therefor:

When  
electors'  
assent may  
be dispensed  
with.

88.—(1) Where under the provisions of any general or special Act it is requisite that the assent of the electors of a municipality or of those qualified to vote on money by-laws first be obtained to the exercise by a municipality of any of its powers or the incurring of any debt, issue of any debentures or passing of any by-law the board shall not approve the exercise of such power, incurring of debt, issue of debentures or the by-law until such assent has been obtained, unless the board after due inquiry is satisfied that such assent may under all the circumstances properly be dispensed with, and the board may in any such case by its order declare and direct that the assent of the electors or the qualified electors shall not be requisite to be obtained notwithstanding the provisions of such general or special Act; provided that no such order shall be made by the Board unless the same is made by the unanimous decision of all the members thereof.

Public  
hearing.

(2) The board before making any order under subsection 1 shall hold a public hearing after such notice thereof has been given as the board may direct, for the purpose of inquiring into the merits of the matter and of hearing any objections which any person may desire to bring to the attention of the board.

Conditions  
in dispensing  
with vote.

(3) The board in making any order under subsection 1 dispensing with the necessity for obtaining the assent of the electors or qualified electors may impose such terms, conditions and restrictions not only in respect of the matter in which such order is made, but as to any further or subsequent exercise of any of the powers of the municipality or incurring of any other debt or issue of any other debentures or passing of any other by-law by such municipality as to the board may seem requisite or expedient.

1932, c. 27,  
s. 89, cl. b,  
amended.

7.—(1) Clause *b* of section 89 of *The Ontario Municipal Board Act, 1932*, is amended by adding at the end thereof the words "and shall include a master of titles," so that the said clause shall now read as follows:

(b)

- (b) "Registrar" shall mean the registrar of a registry "Registrar." office and shall include a master of titles.

(2) Clause *c* of the said section 89 is amended by inserting <sup>1932, c. 27, s. 89, cl. *c*, amended.</sup> after the word "division" in the second line the words "or the land titles office" and by inserting after the word "county" in the second line the words "or district" so that the said clause shall now read as follows:

- (c) "Registry office" shall mean the registry office of the registry division or the land titles office for the county or district in which a municipality subject to this Part is situate.

(3) The said section 89 is amended by adding thereto the <sup>1932, c. 27, s. 89, amended.</sup> following clause:

- (aa) "Inspector" shall mean an inspector appointed for a "Inspector." municipality under this Part.

8. Section 91 of *The Ontario Municipal Board Act, 1932*, is <sup>1932, c. 27, s. 91, amended.</sup> amended by adding thereto the following subsection:

- (8) No person who is not a British subject may be <sup>British subject.</sup> appointed or act as a supervisor.

9. *The Ontario Municipal Board Act, 1932*, is amended by <sup>1932, c. 27, amended.</sup> adding thereto the following sections:

- 91a.—(1) Where a municipality has failed, or the board is satisfied may fail to meet and pay any of the principal moneys of its debenture debt when the same is due but has met and paid, or will meet and pay all interest on its debenture debt when due, and notice is given to the board and, within six months after the time when such principal moneys became due for payment, or where default has not occurred, at any time prior to the time when default may occur, the council of the municipality and the holders or authorized representatives of the holders of debentures of the municipality representing in amount not less than sixty per centum of the total outstanding debentures issued by the corporation of such municipality have entered into a preliminary or tentative agreement in writing approved by the board, for the postponement, refunding or reconstitution of the total outstanding debentures or of such portion thereof as such agreement may affect and for or respecting such other matters in relation to the affairs of such municipality as may appear to the board to be necessary or expedient to have pro-

vision made and for the appointment by the board of an inspector of the municipality, the board, upon inquiry and upon being satisfied that the appointment of a committee of supervisors is not essential for the due protection of the interests and rights of the municipality, its ratepayers, inhabitants and creditors, may with respect to such municipality and its affairs in lieu of appointing a committee of supervisors and vesting therein control and charge over the administration of its affairs, order and declare that thereafter and until the board otherwise determines and orders such municipality shall be subject to the provisions of this Part and shall vest in an inspector control and charge over the administration of all or any of the affairs of the municipality.

Appoint-  
ment of  
inspector.

- (2) Where the board has made an order with respect to any municipality under the authority of subsection 1, it shall forthwith appoint an inspector in whom shall be vested control and charge over the administration of the affairs of such municipality as provided by such order.

Who may be  
appointed.

- (3) If the board approves, the person appointed as an inspector may be the person agreed upon between the council and the creditors under the terms of the agreement referred to in subsection 1, or in case of disapproval by the board or disagreement or failure to agree between the municipality and the debenture holders, the inspector shall be such person as the board may itself select and appoint.

Board  
officer  
may be  
appointed.

- (4) An officer of the board may be appointed as an inspector under this section.

Dis-  
qualification.

- (5) No person may be appointed an inspector who is or within the preceding two years was a member of the council or any local board of the municipality, or who is not a British subject.

Vacancy.

- (6) In case the office of an inspector becomes vacant for any cause, the board shall appoint his successor, and for such purpose may consider any person nominated jointly by the council and the debenture holders.

Inspector  
to be under  
the board.

- (7) Every inspector appointed under this section shall be under the sole jurisdiction of the board and subject only to its control and direction and he shall hold office only during the pleasure of the board.

Powers of  
inspector.

- (8) Subject to the jurisdiction of the board, an inspector appointed by the board shall with respect to the municipality

municipality for which he is appointed have and exercise such jurisdiction, control and powers as are by the provisions of this Part exercisable by supervisors, as the board may by its order provide, and all of the provisions of this Part relating to supervisors, their functions, rights, protection, power, duties, proceedings, transactions, orders, directions and decisions and to appeals from any such order, direction or decision shall, *mutatis mutandis*, apply to the extent necessary according to the terms of the order of the board unless the context of any such provision or of this section shall preclude or conflict.

- (9) The salary and expenses payable to an inspector shall <sup>Inspector's salary, etc.</sup> be determined by the board and be paid by the municipality for which he is appointed.
- (10) This section shall not apply to any municipality <sup>Limited application of section.</sup> which has failed to meet and pay any other of its debts, liabilities or obligations, including interest upon debentures, as the same became due or after payment thereof has been duly demanded, and if after an order has been made under this section with respect to any municipality the board is satisfied that such municipality has failed to meet and pay any of its other debts, liabilities and obligations, including interest upon debentures, in addition to failing to meet and pay any principal moneys of its debentures, it may forthwith order that the control and charge over the administration of the affairs of the municipality shall be vested in a committee of supervisors to be appointed under section 91 in lieu of an inspector.
- (11) The board at any time after it has made an order <sup>Substitution of supervisors.</sup> under subsection 1 if it deems it necessary or expedient so to do, may order that the control and charge over the administration of the affairs of a municipality shall be vested in a committee of supervisors to be appointed under section 91.
- (12) Upon an order being made by the board under <sup>Dis-continuance of inspector.</sup> subsection 10 or subsection 11 and upon a committee of supervisors being appointed for a municipality, the inspector theretofore appointed for such municipality shall cease to hold office, and control and charge over the administration of the affairs of the municipality shall thereafter be vested in and continued by the supervisors.
- (13) Where notice is given by a municipality to the board <sup>Application of section 95.</sup> as provided for in subsection 1, the board may by its order

order provide that section 95 shall apply to such municipality pending an agreement being entered into under the said subsection 1, and notice shall be given and published of the application of section 95 as directed by the board.

Where default occurred prior to s. 91a coming into force.

91b. Subject to the conditions and limitations set forth in section 91a, the provisions of the said section may by order of the board be made applicable to any municipality which prior to the time when the said section came into force had failed to meet and pay any of the principal moneys of its debenture debt as if such failure had actually occurred on the day when the said section came into force.

1932, c. 27,  
s. 92,  
amended.

**10.** Section 92 of *The Ontario Municipal Board Act, 1932*, is amended by adding thereto the following subsection:

Declaration as to jurisdiction of supervisors.

(1a) The jurisdiction and powers to be exercised under this Part by a committee of supervisors heretofore or hereafter appointed shall extend to and include and are hereby declared to have extended to and included not only control over all the affairs of the corporation of the municipality for which it is appointed, but also over all the affairs of every local board of such municipality, unless an order made by the board shall otherwise expressly declare and direct.

1932, c. 27,  
s. 97,  
amended.

**11.—**(1) Section 97 of *The Ontario Municipal Board Act, 1932*, is amended by inserting after the word "powers" in the third line the words "and over the performance by any of them of any of their duties and obligations," so that the first paragraph of the said section shall now read as follows:

97. The supervisors shall with respect to the municipality and every local board thereof have control and charge over the exercise by any of them of any of their powers and over the performance by any of them of any of their duties and obligations with respect to,—

1932, c. 27,  
s. 97,  
amended.

(2) The said section 97 is amended by adding thereto the following clause:

Sinking funds.

(bb) the keeping, investment, use, application, payment and disposition of all sinking funds, and of the moneys belonging thereto and of all rates levied and moneys collected for the purposes of any such sinking fund.

1932, c. 27,  
s. 100,  
subs. 4,  
amended.

**12.** Subsection 4 of section 100 of *The Ontario Municipal Board Act, 1932*, is amended by striking out the words "fifty-

one per centum" in the first and second lines and inserting in lieu thereof the words "two-thirds" so that the said subsection shall now read as follows:

- (4) If creditors representing not less than two-thirds in amount of the aggregate of the indebtedness of the municipality, including therein debenture indebtedness but excluding therefrom indebtedness in respect of which the municipality is not directly but only contingently or collaterally liable, have in writing filed with the board their approval of the making of any order of the board under section 98, it shall not be necessary that any notice be given under subsection 1 of the intention of the board to exercise its power to make such order, and in such case the provisions of subsection 3 shall not apply. Approval by creditors.

**13.**—(1) Subsection 1 of section 103 of *The Ontario Municipal Board Act, 1932*, is amended by striking out the word "corporation" where it occurs in the first and fifth lines and inserting in lieu thereof the word "municipality." 1932, c. 27, s. 103, subs. 1, amended.

(2) Subsection 2 of the said section 103 is amended by striking out the word "corporation" in the first line and inserting in lieu thereof the word "municipality." 1932, c. 27, s. 103, subs. 2, amended.

(3) Subsection 3 of the said section 103 is repealed and the following substituted therefor: 1932, c. 27, s. 103, subs. 3, re-enacted.

- (3) The provisions of Part V of this Act shall apply with respect to this section. Application of Part V.

**14.** Section 104 of *The Ontario Municipal Board Act, 1932*, is amended by striking out the word "corporation" in the fourth line and inserting in lieu thereof the word "municipality." 1932, c. 27, s. 104, amended.

**15.** Section 105 of *The Ontario Municipal Board Act, 1932*, is amended by striking out the word "corporation" where it occurs in the second line and in the eighth and ninth lines and inserting in lieu thereof the word "municipality," and by adding at the end of the said section the words "and no moneys belonging to or revenues of the municipality may be appropriated, applied, paid, used, transferred or withdrawn by any person except with the approval of or otherwise than as directed by the supervisors," so that the said section shall now read as follows: 1932, c. 27, s. 105, amended.

105. The supervisors shall have full charge and control over all moneys belonging to the municipality and received by any person for or on its behalf and such moneys shall be deposited in a chartered bank to be designated by the supervisors and when so deposited

shall

shall only be applied, used, transferred and withdrawn for such purpose, in such manner and at such time or times as the supervisors may approve and direct, and all cheques drawn and issued by the municipality shall be signed and countersigned by such persons and in such manner as the supervisors may authorize and no moneys belonging to or revenues of the municipality may be appropriated, applied, paid, used, transferred or withdrawn by any person except with the approval of or otherwise than as directed by the supervisors.

1932, c. 27,  
s. 106,  
subs. 1,  
amended.

**16.** Subsection 1 of section 106 of *The Ontario Municipal Board Act, 1932*, is amended by inserting after the word "Act" in the second line the words "or of any by-law of the municipality," and by inserting after the word "thereof" in the fourth line the words "or upon any land or lot therein" so that the said subsection shall now read as follows:

Approval of  
supervisors  
necessary to  
levy rate.

- (1) Notwithstanding the provisions of any general or special Act or of any by-law of the municipality, no rate, assessment or amount shall be imposed, rated, levied or directed so to be, upon the rateable property within the municipality or upon any part thereof or upon any land or lot therein unless the approval thereto of the supervisors has first been obtained.

1932, c. 27,  
s. 111,  
subs. 2, cl. b,  
amended.

**17.—**(1) Clause *b* of subsection 2 of section 111 of *The Ontario Municipal Board Act, 1932*, is amended by inserting after the word "redemption" the words "or vacating," so that the said clause shall now read as follows:

(b) For registering a redemption or vacating certificate.

1932, c. 27,  
s. 111,  
subs. 3,  
amended.

(2) Subsection 3 of the said section 111 is amended by adding at the end thereof the words "or vacating certificate," so that the said subsection shall now read as follows:

- (3) No tax shall be payable under the provisions of *The Land Transfer Tax Act* on registration of any tax arrears or redemption certificate or vacating certificate.

1932, c. 27,  
amended.

**18.** *The Ontario Municipal Board Act, 1932*, is amended by adding thereto the following sections:

Registration  
of certi-  
ficates.

**111a.** Where lands to which section 109 applies are registered in a land titles office, the certificates which may be registered under the provisions of sections 109, 110 and 111 shall be registered in the proper land titles office and the provisions of the said

sections

sections 109, 110 and 111 shall, *mutatis mutandis*, apply to lands entered in a land titles office.

- 111b.—(1) Control over all lands which become the property of the corporation of a municipality by virtue of section 109 and are not redeemed and of their use, occupation, renting, leasing, sale or other disposition shall on behalf of the corporation in which they are vested, be exercised by the supervisors and all proceeds derived from the use, occupation, renting, leasing, sale or other disposition of any of the said lands shall be under the control and direction of the supervisors. <sup>Supervisors to control such lands.</sup>
- (2) Where under the provisions of this Part a tax arrears certificate has been registered with respect to any land and it is subsequently ascertained that the same was registered by mistake or that lands have erroneously been included therein, or where an agreement for composition and payment of the arrears of taxes for which the certificate was registered has been entered into under section 113 within two years after registration of such certificate the supervisors may direct the treasurer of the corporation to register a certificate to be known as a vacating certificate, Form 4 to this Act, setting forth therein a description of the land wherein the title of the corporation is to be vacated, and such vacating certificate shall, when registered, be as valid and effective in law as a conveyance of the land described therein to the registered owner at the time of registration of the tax arrears certificate, his heirs or assigns, of the original estate of such registered owner; provided however that the registration of any vacating certificate shall not in any way cancel or affect taxes or arrears of taxes, if any, which may be due upon the land described therein. <sup>Vacating certificates.</sup>
- (3) The board may require the council of a municipality subject to this Part to make application to the judge of the county or district court for the purposes mentioned in section 86 of *The Registry Act*. <sup>Cancellation of plans.</sup>
- (4) The provisions of this section shall apply to all lands acquired by the corporation of the city of Windsor under section 3 of *The City of Windsor Act, 1932*. <sup>Rev. Stat. c. 155.</sup> <sup>Application to City of Windsor.</sup> 1932, c. 95.

**19.** Subsection 1 of section 112 of *The Ontario Municipal Board Act, 1932*, is amended by adding at the end thereof the words "and shall have in addition thereto the rights of appeal conferred by this section," so that the said subsection shall now read as follows: <sup>1932, c. 27, s. 112, subs. 1, amended.</sup>

Right of  
appeal.

- (1) The supervisors shall have the same right of appeal as any person assessed has under subsection 3 of section 72 of *The Assessment Act* with respect to the assessment roll of the municipality and shall have in addition thereto the rights of appeal conferred by this section.

1932, c. 27,  
s. 113,  
amended.

**20.** Section 113 of *The Ontario Municipal Board Act, 1932*, is amended by adding thereto the following subsection:

Approval  
of general  
scheme of  
composition.

- (2) No general scheme for authorizing compromises of tax arrears shall be undertaken or provided for by the supervisors until the same has first been approved by the board.

1932, c. 27,  
amended.

**21.** *The Ontario Municipal Board Act, 1932*, is amended by adding thereto the following form:

FORM 4

VACATING CERTIFICATE

*To the Registrar of the Registry Division of the.....  
of.....*

I HEREBY CERTIFY that the title of the corporation of the .....of.....to the lands hereunder described is hereby vacated by the said corporation under the provisions of *The Ontario Municipal Board Act, 1932*.

*Description of Lands*

.....  
.....

Dated at.....this.....day of....., 19 ..

.....  
*Treasurer.*

Commence-  
ment of Act.

**22.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 40.

## An Act to amend The Partnership Registration Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Partnership Registration Act, 1934.* Short title.

**2.** Section 3 of *The Partnership Registration Act* is amended by striking out the words "six months" in the first line and inserting in lieu thereof the words "sixty days" so that the said section shall now read as follows: Rev. Stat., c. 172, s. 3, amended.

**3.** The declaration shall be filed within sixty days next after the formation of the partnership. Declaration,—when to be filed.

**3.** Subsection 2 of section 4 of *The Partnership Registration Act* is amended by striking out the words "six months" in the first line and inserting in lieu thereof the words "sixty days," so that the said subsection shall now read as follows: Rev. Stat., c. 172, s. 4, subs. 2, amended.

(2) The declaration shall be filed within sixty days after the change takes place. Declaration,—when to be filed.

**4.** Subsection 2 of section 8 of *The Partnership Registration Act* is amended by striking out the words "six months" in the sixth line and inserting in lieu thereof the words "sixty days" so that the said subsection shall now read as follows: Rev. Stat., c. 172, s. 8, subs. 2, amended.

(2) Such declaration shall contain the name, surname, addition and residence of the person making the same, and the name under which he carries on or intends to carry on business, and shall also state that no other person is associated with him in partnership; and such declaration shall be filed within sixty days of the time when such name is first used. Requisites of declaration.

**5.** Section 9 of *The Partnership Registration Act* is amended by striking out the words and figures "a penalty of \$100" in Rev. Stat., c. 172, s. 9, amended.

the fourth line and inserting in lieu thereof the words and figures "a penalty of not less than \$10 and not more than \$100" so that the said section shall now read as follows:

Penalty  
for non-  
compliance.

9. Every member of a partnership or other person required to file a declaration under the provisions of this Act who fails to comply with the requirements thereof shall incur a penalty of not less than \$10 and not more than \$100 to be recovered in any court of competent jurisdiction.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 41.

## An Act to amend The Pawnbrokers' Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Pawnbrokers' Act, 1934.* Short title.

**2.** Subsection 1 of section 25 of *The Pawnbrokers' Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 213, s. 25,  
subs. 1,  
amended.

(i) take in pawn from any person any naval or military medal, badge, decoration or order.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 42.

## An Act to amend The Power Commission Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Power Commission Act, 1934.*

Rev. Stat.,  
c. 57, s. 36,  
amended.

**2.** Section 36 of *The Power Commission Act* is amended by adding at the end thereof the following words:

“and the said purposes of the Commission shall, without limiting the generalities thereof, include repayment on account of the advances by the Province to the Commission.”

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 43.

## An Act to amend The Provincial Loans Act.

*Assented to April 3rd, 1934.*

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Provincial Loans Act, 1934.* Short title.

**2.** Subsection 4a of section 3 of *The Provincial Loans Act* Rev. Stat., c. 23, s. 3 as enacted by section 2 of *The Statute Law Amendment Act, 1933*, subs. 4a (1933, c. 59, s. 2), is amended by striking out the words "as provided in clause d of subsection 1" in the second and third lines. amended.

**3.** Section 12 of *The Provincial Loans Act* is amended by adding thereto the following subsection: Rev. Stat., c. 23, s. 12, amended.

(2) Where in any Act authority is given to the Lieutenant-Governor in Council to raise, by way of loan, any sum of money the Lieutenant-Governor in Council may from time to time authorize the Treasurer of Ontario to raise the whole or any part thereof by temporary loan, and, in such case, unless the Lieutenant-Governor in Council otherwise directs, such sum as the Treasurer is authorized to raise by temporary loan or any part thereof may be raised by way of cheques creating overdrafts having the facsimile signature of the Treasurer of Ontario affixed thereto by the use of a rubber stamp or by printing, lithographing or engraving and bearing such signatures or countersignatures of other officers, who for the time being are authorized to sign or countersign cheques, as would make such cheques if not creating overdrafts binding on the Province of Ontario, and all moneys paid in honouring any such cheque by any bank upon which such cheque is drawn shall conclusively be deemed to have been raised by the Lieutenant-Governor in Council in pursuance of such Act. Authority for temporary loans and overdrafts.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 44.

## An Act to amend The Provincial Parks Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Provincial Parks Act, 1934.*

Rev. Stat.,  
c. 82, s. 40,  
subs. 1 and 2,  
amended.      **2.** Subsections 1 and 2 of section 40 of *The Provincial Parks Act* are amended by striking out the words "or within two miles of the Park or within Rondeau Harbour" in the third and fourth lines of each of the said subsections.

Commence-  
ment of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 45.

## An Act to amend The Public Authorities Protection Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Public Authorities Protection Act, 1934.* Short title.

**2.** Subsection 2 of section 11 of *The Public Authorities Protection Act* is repealed. Rev. Stat., c. 120, s. 11, subs. 2, repealed.

**3.** *The Public Authorities Protection Act* is amended by adding thereto the following section: Rev. Stat., c. 120, amended.

16. A sheriff or his officer acting under a writ of execution or other process shall be deemed to be a person acting in the discharge of a public duty or authority within the meaning of this Act. Application of Act to sheriffs and their officers.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 46.

## The Public Commercial Vehicle Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- Short title.      **1.** This Act may be cited as *The Public Commercial Vehicle Act, 1934*.
- Interpre-      **2.** In this Act,—  
tation
- "Board."      (a) "Board" shall mean Ontario Municipal Board;
- "Depart-      (b) "Department" shall mean Department of Highways;  
ment."
- "Goods."      (c) "Goods" shall include all classes of materials, wares and merchandise, live stock and milk;
- "Highway."      (d) "Highway" shall mean "highway" as defined in *The Highway Traffic Act*;
- "Minister."      (e) "Minister" shall mean Minister of Highways;
- "Owner."      (f) "Owner" shall mean a person registered under *The Highway Traffic Act* as the owner of a motor vehicle who under this Act is licensed to transport goods upon a highway by means of a public commercial vehicle;
- "Public commercial vehicle."      (g) "Public commercial vehicle" shall mean any motor vehicle or trailer as defined in *The Highway Traffic Act*, operated on a highway by, for or on behalf of any person who receives compensation for the transportation of goods;
- "Toll."      (h) "Toll" shall mean any fee or rate charged, levied or collected for the transportation of goods or for use of a public commercial vehicle;

- (i) "Transportation" shall with respect to goods mean <sup>"Transportation."</sup> and include the transportation, carriage, shipment, care, handling, storage or delivery thereof;
- (j) "Urban zone" shall mean an area consisting of one <sup>"Urban zone."</sup> urban municipality and lands adjacent thereto and within a distance of three miles therefrom.

**3.** The provisions of this Act shall not apply to a public commercial vehicle the operation of which is confined solely to highways within one urban zone, nor to the transportation upon a highway from a farm or forest by means of a public commercial vehicle of goods, other than live stock and milk, which are the product of such farm or forest. <sup>When provisions of Act not to apply.</sup>

**4.** No person shall conduct upon a highway by means of a public commercial vehicle the business of transportation of goods unless licensed so to do by the department. <sup>License required.</sup>

**5.—(1)** No person other than a duly authorized agent of an owner shall carry on the business of an agent for the transportation of goods upon the highways. <sup>Agents.</sup>

(2) A duly authorized agent of an owner shall be one appointed in writing, signed by the owner, and such written agency authority must at all times be kept posted up and displayed in a conspicuous place on the premises at which he conducts his agency business. <sup>Agency authority.</sup>

**6.—(1)** No license shall be issued to any person without the approval of the Board being first obtained as evidenced by a certificate of public necessity and convenience of the said Board furnished to the department, and then only in accordance with such certificate. <sup>Certificate of Municipal Board.</sup>

(2) It shall not be necessary to the renewal by the department of any license that the approval of the Board be obtained thereto unless the department shall have referred the application for such renewal to the Board for its approval. <sup>Renewals of licenses.</sup>

**7.** Licenses issued by the department shall be subject to the regulations made under the authority of this Act. <sup>Terms of licenses.</sup>

**8.** The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make regulations,— <sup>Regulations.</sup>

- (a) respecting the issue, extension, renewal, transfer, suspension and revocation of licenses;
- (b) respecting the payment of fees and the amount and time of payment of such fees;

(c)

- (c) fixing the amount, nature and class of insurance or bond which shall be provided or carried by owners;
- (d) prescribing the form of bill of lading to be used;
- (e) respecting the publication, filing and posting of tariffs of tolls, and the payment of tolls;
- (f) prescribing the method of bookkeeping or accounting to be used and the returns or statements to be filed;
- (g) prescribing, regulating and limiting the hours of labour for drivers;
- (h) prescribing the minimum age of drivers and minimum rates of pay or wages for drivers;
- (i) generally for the better carrying out of the provisions of this Act.

Tolls.

**9.**—(1) No tolls shall be charged by the owner of any public commercial vehicle, or by his agent or any other person in his employ or in his behalf, until the tariff of such tolls has been filed with the Board.

Adherence to tolls.

(2) No reduction or advance in any such tolls shall be made or accepted, either directly or indirectly, in favour of, by, or against any person.

Powers of Municipal Board.

**10.** The Board shall have and may exercise all such powers as may be necessary for the purposes of this Act and the regulations with respect to the matters in which it is thereby, or by order of the Lieutenant-Governor in Council, given jurisdiction.

Penalties.

**11.** Any person who violates any of the provisions of this Act or any regulation passed thereunder shall incur a penalty of not less than \$20 and not more than \$200, recoverable under *The Summary Convictions Act*.

Rev. Stat., c. 121.

Repeal.

**12.** *The Public Commercial Vehicle Act*, being chapter 253 of the Revised Statutes of Ontario, 1927, and amendments thereto are repealed.

Commencement of Act.

**13.** This Act shall come into force on the 1st day of July, 1934.

## CHAPTER 47.

## An Act to amend The Public Health Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Health Act, 1934*. Short title.

2.—(1) Section 1 of *The Public Health Act* is amended by adding thereto the following clause: Rev. Stat.,  
c. 262, s. 1,  
amended.

(cc) "Health unit" shall mean a county or two or more counties, or a municipality, or two or more municipalities forming part of a county or in two or more counties, or a municipality, or two or more municipalities in a territorial district either alone or in conjunction with a school section, or two or more school sections in unorganized territory. "Health  
unit."

(2) Clause *f* of the said section 1 is amended by adding at the end thereof the words "or of a health unit" so that the said clause shall now read as follows: Rev. Stat.,  
c. 262, s. 1,  
cl. *f*,  
amended.

(*f*) "Local board" shall mean the local board of health for any municipality or of a health unit. "Local  
board."

3.—(1) Subsection 1 of section 12 of *The Public Health Act* is amended by adding at the end thereof the words "except where a health unit is established under this Act" so that the said subsection shall now read as follows: Rev. Stat.,  
c. 262, s. 12,  
subs. 1,  
amended.

(1) There shall be a local board of health for every municipality in Ontario except where a health unit is established under this Act. Local  
boards.

(2) The said section 12 as amended by section 2 of *The Public Health Act, 1930*, is further amended by adding thereto the following subsection: Rev. Stat.,  
c. 262, s. 12,  
amended.

Local  
board where  
health unit  
established.

- (6) Where a health unit is established, the local board thereof shall be constituted and appointed as provided by the regulations, and such local board shall take the place of the local board or boards which but for the establishment of the health unit would exist in the municipality or municipalities forming the health unit.

Rev. Stat.,  
c. 262,  
amended.

4. *The Public Health Act* is amended by adding thereto the following section:

Health  
unit,—  
formation of

- 34a.—(1) The council of a county may by by-law establish and declare the county to be a health unit, or the councils of two or more counties, or the councils of various municipalities, or of adjacent municipalities in the same county, or in different counties, or the council of a municipality or of two or more municipalities in a territorial district, either alone or in conjunction with the trustees of a school section, or the school boards of two or more school sections, may enter into an agreement in writing for the formation of a health unit.

Appoint-  
ment and  
salary of  
M.O.H.

- (2) The appointment and salary of the medical officer of health for a health unit shall be as provided by the regulations and shall be subject to the approval of the Minister.

Powers and  
duties.

- (3) Where a medical officer of health is appointed for a health unit, the provisions of this Act with respect to the appointment of municipal officers of health for the territory included in the health unit shall not apply and the powers and duties of a medical officer of health in any such municipality shall thenceforth be exercised and performed by the medical officer of health for the health unit.

Regulations.

- (4) The Minister, with the approval of the Lieutenant-Governor in Council may make regulations which may be general or particular in their application,—
- (a) respecting the establishment of a health unit;
  - (b) providing for the constitution of a board of health in any health unit, fixing the number of members and defining the powers of the board;
  - (c) prescribing the powers, qualifications, salary and duties of a medical officer of health in a health unit;

(d)

- (d) respecting the appointment and the tenure of office of the medical officer of health in a health unit;
  - (e) apportioning any expense incurred in carrying out this section and the regulations among municipalities and school sections concerned.
- (5) The expenses incurred in carrying out the provisions of this Act and the regulations made thereunder with respect to a health unit shall be borne and paid in such proportion as may be agreed upon, or in default of agreement, in such proportion as may be fixed by the Minister, or in such manner as may be prescribed by the regulations. Expenses,—how borne and paid.
- (6) Subject to the regulations where a health unit is established under this Act the Minister may grant such assistance for the establishment and maintenance of the health unit as he may deem proper and any such grant shall be payable out of any moneys appropriated by the Legislature for that purpose. Provincial assistance.

5. Subsection 1 of section 36 of *The Public Health Act* is amended by striking out the words "before whom cause shall be shown for the dismissal" in the ninth and tenth lines and inserting in lieu thereof the words "who may require cause to be shown for the dismissal," so that the said subsection shall now read as follows: Rev. Stat., c. 262, s. 36, subs. 1, amended.

- (1) Every medical officer of health appointed by the council shall hold office during good behaviour and his residence in the municipality, or in an adjoining municipality and, if appointed by the Lieutenant-Governor in Council, shall hold office until the 1st day of February in the year following that of his appointment, and no medical officer of health shall be removed from office except on a two-thirds vote of the whole council and with the consent and approval of the Minister who may require cause to be shown for the dismissal. Dismissal.

6. *The Public Health Act* is amended by adding thereto the following section: Rev. Stat., c. 262, amended.

- 37a. No action, prosecution or other proceeding shall be brought or be instituted against a medical officer of health for an act done in pursuance or execution or intended execution of any statutory or other public duty or authority, or in respect of any alleged neglect Action against M.O.H. prohibited

or default in the execution of any such duty or authority without the consent of the Minister of Health.

Rev. Stat.,  
c. 262, s. 54,  
amended.

7. Section 54 of *The Public Health Act* as amended by section 5 of *The Public Health Act, 1931*, is further amended by adding thereto the following subsection:

Maternity  
cases,—  
duty as to  
reporting  
death of  
mother.

(4) It shall be the duty of every physician, medical officer of health, superintendent of a hospital, nurse, midwife or other person in charge of a maternity case in which the death of a mother takes place from causes directly or indirectly associated with pregnancy or parturition forthwith to report such death and the causes thereof according to the regulations.

Rev. Stat.,  
c. 262, s. 57,  
re-enacted.

8. Section 57 of *The Public Health Act* is repealed and the following substituted therefor:

Isolation of  
patient.

57. Where by the regulations the provisions of this section are made applicable in respect of any communicable disease, the medical officer of health or the local board shall as required by the regulations, isolate persons having such disease, persons who are or may be contacts therewith and persons who are or may be carriers thereof, and shall forthwith and as provided by the regulations quarantine the house or premises in which such disease exists or in which such persons are isolated.

Rev. Stat.,  
c. 262, s. 86,  
(1933,  
c. 50, s. 6),  
subss. 3, 4, 5,  
amended.

9. Subsections 3, 4 and 5 of section 86 of *The Public Health Act* as re-enacted by section 6 of *The Public Health Act, 1933*, are amended by striking out the figure "1" where it occurs in each of the said subsections and inserting in lieu thereof the figure "2," so that the said subsections shall be read as referring and having referred to subsection 2 of the said section.

Rev. Stat.,  
c. 262, s. 89,  
re-enacted.

10. Section 89 of *The Public Health Act* is repealed and the following substituted therefor:

Inspection  
of dairies,  
etc.

89.—(1) The medical officer of health may make or cause to be made by a veterinary surgeon or other competent person an inspection, periodical or otherwise, of all dairies, cheese factories, creameries, dairy farms, slaughter-houses and other lands or premises wherein or from which any milk, cream, cheese, butter, meat or other product intended for human consumption is produced, handled, stored, made, processed, packed, bottled, distributed or delivered, and if upon or as a result of any such inspection he

finds

finds that any such building, land or premises, or the equipment, machinery, works or other part of the plant therein, or any other matter or thing therein is in a filthy or unclean state or that the operations carried on therein are not, or cannot be carried on in a sanitary manner, or that persons are employed therein who from incompetency, uncleanliness or otherwise are not proper to be employed therein so that from, or by reason of any such matters or things, the public health may be endangered, he may order the owner or occupant of such building, land or premises to remedy such matters or things to his satisfaction, and until such time as he is satisfied that such matters or things are remedied he may prohibit or regulate the distribution, delivery, sale or offering for sale of any products from such building, land or premises.

- (2) When any of the products mentioned in subsection 1 are distributed or delivered from or are made in any of the buildings, land or premises mentioned in the said subsection and are sold or offered for sale in any municipality other than the one in which such building, land or premises is situate, the medical officer of health of such other municipality may with respect thereto exercise the powers conferred by subsection 1 and may prohibit or regulate the distribution, delivery, sale or offering for sale of such products in the municipality in which he is the medical officer of health. Where distribution, delivery, etc., is made in other centres.
- (3) An inspection made under this section by a veterinary surgeon or other person approved by the Department as competent shall for the purposes of this section be deemed to have been made by a competent person. Competent person,—who deemed to be.
- (4) The owner or occupant of any building, land or premises dissatisfied with any order, prohibition or regulation made by a medical officer of health under the provisions of this section may within seven days of notice thereof being served upon him personally, or sent by registered mail, postage prepaid, at his last-known address, or at the building, land or premises in question, appeal from such order, prohibition or regulation to the Minister of Health whose decision in the matter shall be final and not subject to question or review in any court. Appeal from order etc.
- (5) Any person contravening the terms of any order, prohibition or regulation made under the provisions of this section shall incur a penalty of not less than Penalty.

\$5 and not more than \$100 for each offence, and any product distributed, delivered, sold or offered for sale in contravention of any such prohibition or regulation may upon the order of the convicting justice or magistrate be confiscated and destroyed.

Rev. Stat.,  
c. 262, s. 94,  
re-enacted.

**11.** Section 94 of *The Public Health Act* is repealed and the following substituted therefor:

Polluting  
water  
supply.

94.—(1) No sewage, drainage, domestic, commercial or factory refuse, excremental or other polluting matter of any kind whatsoever which either by itself or in connection with other matter corrupts, pollutes or impairs or may corrupt, pollute or impair the quality of the water of any source of public water supply for domestic use in any municipality, or which renders or may render such water injurious to health shall be placed in, deposited on, or discharged into the waters, or placed or deposited upon the ice of any such source of water supply, or be placed, deposited or discharged, or suffered to remain in, on or upon the bank or shore of any such source of water supply, or in, on or upon any lands adjacent to any such source, nor shall any person bathe or swim in the water of any such source of water supply.

Pollution  
of land  
adjacent  
to water  
supply.

(2) For the purposes of this section land adjacent to a source of public water supply shall include such surface area of land wherefrom by reason of the levels thereof or the nature and texture of the soils thereof, or rocks underlying the same, any corrupting, polluting or impairing effluent emanating from matter placed, deposited, discharged or remaining in, on or upon such land, would or may flow, percolate or seep into such source of water supply.

Defined  
area,—  
notice of.

(3) The Department may, with respect to any source of public water supply, define and prescribe an area surrounding such source of water supply wherein none of the matters referred to in subsection 1 may be placed, deposited, discharged or suffered to remain, and give such notice of any area so defined and prescribed by publication or otherwise as the Department may deem necessary for the due protection of such source of water supply.

Penalty.

(4) Every person who contravenes any of the provisions of subsection 1, or who, within any area surrounding a source of public water supply after the same has been defined and prescribed by the Department,

places

places, deposits, discharges or suffers to remain any of the matters referred to in subsection 1, shall for each offence incur a penalty of not less than \$5 and not more than \$100 and each week's continuance of the offence after notice by the Department or any local board to discontinue the offence, shall constitute a separate and subsequent offence for which a penalty of not less than \$10 and not more than \$100 shall be incurred.

**12.** This Act shall come into force on the day upon which <sup>Commence-</sup> it receives the Royal Assent. <sub>ment of Act.</sub>

## CHAPTER 48.

## An Act to amend The Public Parks Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Public Parks Act, 1934*.

Rev. Stat.,  
c. 248, s. 6,  
subs. 2,  
amended.

2. Subsection 2 of section 6 of *The Public Parks Act* is amended by striking out the word "municipality" in the first line and inserting in lieu thereof the word "council," so that the said subsection shall now read as follows:

Prohibition  
against  
interest in  
contracts.

(2) No member of the board or of the council shall have any contract with the board, or be pecuniarily interested, directly or indirectly, in any contract or work relating to the park or park property.

Commence-  
ment of Act

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 49.

## An Act to amend The Public Vehicle Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Vehicle Act, 1934*. Short title
2. Section 2 of *The Public Vehicle Act* is amended by adding thereto the following subsection: Rev. Stat., c. 252, s. 2, amended.
  - (1a) No person shall solicit by means of advertising or otherwise undertake to arrange the transportation of passengers by means of a vehicle operated on a highway by, for, or on behalf of any person who receives compensation for such transportation, unless the person who, or for, or on behalf of whom the vehicle is operated is licensed under this Act or under any other Act to operate such vehicle for compensation or hire. Advertising by unlicensed persons prohibited.
3. Section 24 of *The Public Vehicle Act* is repealed and the following substituted therefor: Rev. Stat., c. 252, s. 24, re-enacted.
  24. Every person licensed under this Act shall with respect to every public vehicle which is operated by him, or for, or on his behalf, provide or effect and carry such bond or insurance as the Lieutenant-Governor in Council may by regulation prescribe. Insurance to be carried or provided.
4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 50.

## An Act to amend The Registry Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Registry Act, 1934*.

Rev. Stat.,  
c. 155, s. 12,  
subs. 2,  
amended.

2. Subsection 2 of section 12 of *The Registry Act* is amended by inserting after the word "registrar" in the third line the words "shall be the registrar *pro tempore* and" so that the said subsection shall now read as follows:

Power  
of deputy  
in case of  
death or  
removal of  
registrar.

(2) In case of the death, resignation, removal from or forfeiture of office of the registrar, the deputy registrar, or if more than one, the senior deputy registrar shall be the registrar *pro tempore* and shall do and perform all and every act, matter and thing necessary for the due execution of the office, until a new appointment of registrar is made, and if there is no deputy registrar the Crown attorney shall be the registrar *pro tempore* until another person is appointed, and the Crown attorney on becoming registrar may appoint a deputy registrar.

Rev. Stat.,  
c. 155,  
s. 57, subs. 7,  
amended.

3. Subsection 7 of section 57 of *The Registry Act* is amended by striking out the words "and from and after the 1st day of May, 1933, no conveyance being a release of the equity of redemption in any land subject to a mortgage which has not been recorded in full shall be registered until the said mortgage has been recorded in full" added thereto by subsection 3 of section 18 of *The Statute Law Amendment Act, 1933*.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 51.

## An Act to amend The Representation Act, 1933.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Representation Act, 1934.* Short title.

**2.** Schedule "A" to *The Representation Act, 1933*, is amended 1933, c. 56, Sched. "A," amended. by striking out the enumerations and definitions therein contained and set forth of the Electoral Districts of Beaches, Bellwoods, Riverdale, St. Andrews, St. David, St. George, St. Patrick and Woodbine where they occur therein and substituting therefor the enumerations and definitions of the said respective electoral districts as they are contained and set forth in schedule "A" to this Act, and schedule "A" to *The Representation Act, 1933*, shall be read and construed as if the said electoral districts had been enumerated and defined as contained and set forth in schedule "A" to this Act.

**3.** Section 9 of *The Representation Act, 1933*, is amended by 1933, c. 56, s. 9, amended. adding thereto the following subsection:

(2) Every city, town, village or township which by the provisions of any special Act of the Legislature of the Province of Ontario heretofore passed, forms or forms part of any electoral district shall hereafter and notwithstanding such provisions, form or form part of the electoral district or districts in which it is included in the schedule to this Act. Special Acts overruled.

**4.** This Act shall come into force and have effect on, from Commence-ment of Act. and after the dissolution or end of the present Legislative Assembly.

## SCHEDULE "A".

THE ELECTORAL DISTRICT OF BEACHES,—to consist of that part of the City of Toronto bounded on the north by the north limit of the said city; on the south by the waters of Lake Ontario; on the east by the eastern limit of the said city, and on the west by the centre line of Woodbine Avenue and Woodbine Avenue produced southerly to the waters of Lake Ontario.

THE ELECTORAL DISTRICT OF BELLWOODS,—to consist of that part of the City of Toronto bounded as follows: Commencing at a point where the western boundary of the Island intersects the centre line of Tecumseh Street, produced south; thence northerly along the centre line of Tecumseh Street to Palmerston Avenue; thence along the centre line of Palmerston Avenue to the centre line of Bloor Street; thence easterly along the centre line of Bloor Street to the centre line of Bathurst Street; thence north along the centre line of Bathurst Street to the centre line of the Canadian Pacific Railway tracks; thence easterly along the centre line of the Canadian Pacific Railway tracks to the centre line of Spadina Road; thence north along the centre line of Spadina Road and Spadina Road produced to the city limits; thence westerly along the city limits and southerly along the city limits and westerly along the city limits to intersection with the centre line of Christie Street, produced northerly; thence southerly and along the centre line of Christie Street to the centre line of Bloor Street; thence westerly along the centre line of Bloor Street to the centre line of Crawford Street; thence southerly along the centre line of Crawford Street to the centre line of King Street; thence easterly along the centre line of King Street to the centre line of Strachan Avenue; thence southerly along the centre line of Strachan Avenue and Strachan Avenue produced, to the waters of Lake Ontario; thence easterly along the waters of Lake Ontario to the place of beginning.

THE ELECTORAL DISTRICT OF RIVERDALE,—to consist of that part of the City of Toronto bounded on the east by a line drawn from the waters of Lake Ontario extending north along the centre line of

Berkshire Avenue, produced southerly to a point at intersection with the southern boundary of Eastern Avenue; thence along the centre line of Berkshire Avenue to the centre line of Queen Street; thence easterly along the centre line of Queen Street to intersection with the centre line of Jones Avenue; thence north along the centre line of Jones Avenue to the centre line of Danforth Avenue; thence easterly along the centre line of Danforth Avenue to the centre line of Dewhurst Avenue; thence north along the centre line of Dewhurst Avenue to the city limits; bounded on the north by the limits of the said city; bounded on the west by the Don roadway and the said roadway produced southerly to intersection with the waters of Lake Ontario to a point intersecting the Don River; thence following the centre line of the Don River to the northern city limits; and bounded on the south by the waters of Lake Ontario.

THE ELECTORAL DISTRICT OF ST. ANDREW,—to consist of that part of the City of Toronto bounded as follows: Commencing at a point on the northern boundary of the waters of Toronto Bay where the centre line of Peter Street, produced southerly intersects said waters; thence westerly along the northern boundaries of the waters of said Toronto Bay to intersection with the northern boundary of the western channel; thence westerly along the said northern boundary to intersection with the western boundary of the Island; thence north-westerly along said western boundary to intersection with the centre line of Tecumseh Street, produced southerly; thence north from the centre line of Tecumseh Street to Palmerston Avenue; thence along the centre line of Palmerston Avenue to the centre line of Bloor Street; thence east on the centre line of Bloor Street to the centre line of Bathurst Street; thence north on the centre line of Bathurst Street to the centre line of the Canadian Pacific Railway tracks; thence east on the centre line of the Canadian Pacific Railway tracks to the centre of Spadina Road; thence southerly along the centre line of Spadina Road to the centre line of Bloor Street; thence easterly along the centre line of Bloor Street to the centre line of Huron Street; thence southerly along the centre line of Huron Street to the centre line of Phoebe Street; thence easterly along the centre line of Phoebe Street to the centre line of Soho

Street;

Street; thence southerly along the centre line of Soho Street to the centre line of Queen Street; thence westerly along the centre line of Queen Street to the centre line of Peter Street; thence southerly along the centre line of Peter Street and Peter Street produced southerly to the place of beginning.

THE ELECTORAL DISTRICT OF ST. DAVID,—to consist of that part of the City of Toronto bounded as follows: Commencing at a point where the Don roadway, produced southerly intersects the waters of Lake Ontario; thence northerly along said Don roadway and Don roadway produced to intersection with the Don River; thence along the centre of Don River to northern city limits; thence westerly along said northern city limits to intersection with the centre line of the belt line railway; thence northerly and north-westerly and westerly following the centre line of said belt line railway to intersection with the centre line of Yonge Street; thence southerly along the centre line of Yonge Street to the ravine crossing Yonge Street, nearly opposite Walmsley Boulevard; thence south-easterly following the centre of said ravine to intersection with the centre line of the Canadian Pacific Railway; thence easterly along said centre line of the Canadian Pacific Railway to intersection with the centre line of MacLennan Avenue; thence southerly along the centre line of MacLennan Avenue to the centre line of Schofield Avenue; thence southerly along the centre line of Schofield Avenue to the centre line of Highland Avenue; thence south-easterly along the centre line of Highland Avenue to the centre line of Glen Road; thence southerly along the centre line of Glen Road to the centre line of South Drive; thence westerly along the centre line of South Drive to intersection with the centre line of Sherbourne Street; thence southerly along the centre line of Sherbourne Street and Sherbourne Street produced to the northern boundary of Toronto Bay; thence south-easterly in a straight line to the centre of the northerly end of the eastern channel; thence continuing south-easterly along the centre line of the eastern channel to the waters of Lake Ontario; thence easterly along the edge of the waters of Lake Ontario to the place of beginning.

THE ELECTORAL DISTRICT OF ST. GEORGE,—to consist of that part of the City of Toronto bounded as follows:

follows: Commencing at a point where the northern boundary of the waters of Toronto Bay are intersected by the centre line of Sherbourne Street produced southerly; thence northerly along the said Sherbourne Street and Sherbourne Street produced southerly to intersection with the centre line of South Drive; thence easterly along the centre line of South Drive to intersection with the centre line of Glen Road; thence northerly along the centre line of Glen Road to intersection with the centre line of Highland Avenue; thence north-westerly along the centre line of Highland Avenue to the centre line of Schofield Avenue; thence northerly along the centre line of Schofield Avenue to intersection with the centre line of MacLennan Avenue; thence northerly along the centre line of MacLennan Avenue to the centre line of the Canadian Pacific Railway; thence westerly along the centre line of the Canadian Pacific Railway to intersection with the Ravine; thence north-westerly along the centre line of the Ravine to intersection with the centre line of Yonge Street; thence northerly along the centre line of Yonge Street to the centre line of the belt line railway; thence north-westerly along the centre line of the belt line railway to the city limits; thence southerly, easterly, southerly and westerly along the city limits to intersection with the centre line of Avenue Road produced northerly; thence southerly along the centre line of Avenue Road and Avenue Road produced northerly to the centre line of Davenport Road; thence easterly and south-easterly along the centre line of Davenport Road to intersection with the centre line of Bay Street; thence southerly along the centre line of Bay Street and Bay Street produced to the northern boundary of the waters of Toronto Bay; thence easterly along the northern boundary of the waters of Toronto Bay to the place of beginning.

THE ELECTORAL DISTRICT OF ST. PATRICK,—to consist of that part of the City of Toronto, bounded as follows: Commencing at a point where the waters of Lake Ontario are intersected by the centre line of the eastern channel; thence north-westerly along the centre line of the eastern channel to the centre at the north boundary of said channel; thence north-westerly in a straight line to a point on the northern boundary of the waters of Toronto Bay intersected by the centre line of Sherbourne Street

produced

produced southerly; thence westerly along the northern boundary of the waters of Toronto Bay to intersection with the centre line of Bay Street produced southerly; thence northerly along the centre line of Bay Street and Bay Street produced southerly to intersection with the centre line of Davenport Road; thence north-westerly along the centre line of Davenport Road to centre line of Avenue Road; thence northerly along the centre line of Avenue Road and Avenue Road produced to the city limit; thence westerly along the northern boundary of the city limit to intersection with the centre line of Spadina Road, produced northerly; thence southerly along the centre line of Spadina Road to the centre line of Bloor Street; thence easterly along the centre line of Bloor Street to the centre line of Huron Street; thence southerly along the centre line of Huron Street to the centre line of Phoebe Street; thence easterly along the centre line of Phoebe Street to the centre line of Soho Street; thence southerly along the centre line of Soho Street to the centre line of Queen Street; thence westerly along the centre line of Queen Street to the centre line of Peter Street; thence southerly along the centre line of Peter Street and Peter Street produced southerly to the northern boundary of the waters of Toronto Bay; thence westerly following the northern boundary of the waters of Toronto Bay and along the northern boundary of the western channel to intersection with the western boundary of Toronto Island; thence southerly across the western channel and along the western boundary of said Island and along the waters of Lake Ontario and easterly along the southern boundary of said Island and along the waters of Lake Ontario to the place of beginning.

THE ELECTORAL DISTRICT OF WOODBINE,—to consist of that part of the City of Toronto bounded on the east by the centre line of Woodbine Avenue, said centre line produced southerly to the waters of Lake Ontario; on the south by the waters of Lake Ontario; on the west by a line drawn from the waters of Lake Ontario, extending north along the centre line of Berkshire Avenue produced southerly to a point at intersection with the southern boundary of Eastern Avenue; thence along the centre line of Berkshire Avenue to the centre line of Queen Street; thence easterly along the centre line of Queen Street to intersection with the centre

line

line of Jones Avenue; thence along centre line of Jones Avenue to intersection with the centre line of Danforth Avenue; thence easterly to intersection with the centre line of Dewhurst Avenue; thence north along said centre line of Dewhurst Avenue to the city limits and bounded on the north by the city limits.

## CHAPTER 52.

## The School Law Amendment Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The School Law Amendment Act, 1934*.

Rev. Stat.,  
c. 322, s. 5,  
cl. *b*  
(1930, c. 63,  
s. 2, subs. 1),  
cls. *h*,  
and *i*,  
repealed.

**2.**—(1) Clause *b* of section 5 of *The Department of Education Act* as enacted by subsection 1 of section 2 of *The School Law Amendment Act, 1930*, and clauses *h* and *i* of section 5 of *The Department of Education Act* are repealed and the following substituted therefor:

Payment  
of grants to  
boards.

(*b*) to pay, on or before the first day of August in each year, the grants apportioned to all public and separate schools entitled thereto to the boards of public and separate school trustees, respectively.

Rev. Stat.,  
c. 322, s. 7,  
subs. 1  
(1932, c. 53,  
s. 32),  
amended.

(2) Subsection 1 of section 7 of *The Department of Education Act* as amended by subsection 1 of section 32 of *The Statute Law Amendment Act, 1932*, is further amended by striking out the figures “\$100,000” in the said amendment of 1932 and inserting in lieu thereof the figures “\$150,000,” so that the said subsection shall now read as follows:

Guarantee-  
ing school  
debentures  
and  
investments.

(1) The Lieutenant-Governor in Council may, upon the recommendation of the Minister, for and in the name of the Province, guarantee the payment of any debentures issued by a board of public school trustees or a board of separate school trustees or by a municipal corporation in a provisional judicial district for any school purpose for which such board or municipal corporation is authorized to issue debentures, and to an amount not exceeding \$150,000 guarantee the investments of any penny bank or similar institution mentioned in clause *y* of section 88 of *The Public Schools Act* and section 24 of *The High Schools Act* which has for one of its objects the encouragement of thrift among school pupils and is approved by the Minister.

Rev. Stat.,  
cc. 323, 326.

3. Clause *a* of subsection 25 of section 30 of *The Public Schools Act* is amended by striking out the words "A union school section may include any of the following, namely," at the commencement of the said clause and inserting in lieu thereof the words "A union school section may be formed of any two or more of the following, namely" so that the said clause shall now read as follows:

Rev. Stat.,  
c. 323, s. 30,  
subs. 25,  
cl. a,  
amended.

- (a) A union school section may be formed of any two or more of the following, namely—an organized township or any part thereof, or two or more organized townships or parts thereof; an unorganized township or any part thereof, or two or more unorganized townships or parts thereof, unsurveyed territory and a town or village, and the union school section may be altered or dissolved, and in such case the petition of the ratepayers for the part of the union school section not included in an urban municipality or organized township shall be presented to the inspector.

Union school  
section in  
districts.

4.—(1) Subsection 1 of section 41 of *The Public Schools Act* is amended by adding the words "Subject to the approval of the Minister" at the commencement of the said subsection so that the same shall now read as follows:

Rev. Stat.,  
c. 323, s. 41,  
subs. 1,  
amended.

- (1) Subject to the approval of the Minister the inspector may form an unorganized township or part of an unorganized township or parts of two or more adjoining unorganized townships into a school section.

Formation  
of school  
sections.

(2) Subsection 2 of the said section 41 is amended by inserting the words "with the approval of the Minister" after the word "may" in the second line so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 323, s. 41,  
subs. 2,  
amended.

- (2) The section shall not, in length or breadth, exceed five miles, and subject to this restriction, the boundaries may with the approval of the Minister be altered by the inspector from time to time.

Limits  
of section.

5. The amendment made to subsection 7 of section 46 of *The Public Schools Act* by section 7 of *The School Law Amendment Act, 1933*, shall have force and take effect as from the 31st day of December, 1930.

1933, c. 58,  
s. 7 to be in  
force from  
31st day of  
December,  
1930.

6. Subsection 2 of section 60 of *The Public Schools Act* as enacted by subsection 1 of section 7 of *The School Law Amendment Act, 1932*, is amended by inserting the word "urban" before the word "municipality" in the last line so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 323, s. 60,  
subs. 2,  
(1932, c. 62,  
s. 7, subs. 1),  
amended.

Rates in  
urban muni-  
cipalities.

- (2) In urban municipalities situate in unorganized territory where a like condition exists the rates to be so levied on public school supporters shall be equal to those levied in the nearest urban municipality.

Rev. Stat.,  
c. 323, s. 88,  
cl. *d*,  
amended.

7. Clause *d* of section 88 of *The Public Schools Act* is amended by adding at the end thereof the following words: "Provided that where the accommodation is not more than sufficient for all children over six years of age or where the general progress of the school or grade may be prejudicially affected, the inspector may in either case authorize the board to refuse to admit any pupil who is not more than six years of age at any time other than at the commencement of the school year in September," so that the said clause shall now read as follows:

To provide  
accommo-  
dation.

- (*d*) to provide adequate accommodation for all children between the ages of five and sixteen years resident in the municipality, and in the case of rural schools for two-thirds of such children resident in the section, as ascertained in both cases by the school census taken by the assessor in the next preceding year, and in computing such residents the children of persons on whose behalf a separate school has been established under *The Separate Schools Act* shall not be included; Provided that where the accommodation is not more than sufficient for all children over six years of age or where the general progress of the school or grade may be prejudicially affected, the inspector may in either case authorize the board to refuse to admit any pupil who is not more than six years of age at any time other than at the commencement of the school year in September.

Rev. Stat.,  
c. 323, s. 89,  
re-enacted.

8. Section 89 of *The Public Schools Act* is repealed and the following substituted therefor:

Employing  
teachers in  
charitable  
institutions.

89. The board of a city may, when so requested in writing by a charitable organization having the charge of children of school age, employ and pay teachers for the education of such children and pay for and furnish school supplies for their use, whether or not such children are being educated in premises within or beyond the limits of such city; and any children being so educated shall be subject to the provisions of this Act and the regulations.

Rev. Stat.,  
c. 323, s. 103,  
amended.

9. Section 103 of *The Public Schools Act* as amended by section 14 of *The School Law Amendment Act, 1932*, is further amended by adding thereto the following subsection:

- (8) For the purposes of subsection 7 the failure of a board to pay a teacher's salary may be extended by a judge to include failure to pay a teacher's salary when an agreement for his employment has been made by the board but no written agreement has been entered into and executed as required by subsection 1, if the judge is satisfied upon the evidence that the refusal of the board to pay the salary by reason of the absence of an agreement in writing is without merit.

Failure of board to pay salary when no written agreement.

**10.** Clause *a* of section 24 of *The High Schools Act* is amended by inserting the words "any or all" after the word "of" in the first line so that the said clause shall now read as follows:

Rev. Stat., c. 326, s. 24, cl. *a*, amended.

- (a) purchase for the use of any or all pupils text-books and other school supplies, and either furnish the same to them free of charge or collect for the use thereof from such pupils or their parents or guardians a sum not exceeding twenty-five cents per month for each pupil to defray the cost thereof.

Purchase books and supplies, and furnish same free or collect fees for the use thereof.

**11.** Section 25 of *The High Schools Act* as amended by section 15 of *The School Law Amendment Act, 1930*, is further amended by adding thereto the following subsections:

Rev. Stat., c. 326, s. 25, amended.

- (2) The provisions of subsection 1 shall apply in the case of a high school district for which no school has been established by the board.
- (3) Where pursuant to the provisions of this section the board of a high school district for which no school has been established has arranged for the instruction of all pupils resident in such high school district at a high school, collegiate institute or vocational school in any other high school district and is paying the fees of such pupils, there shall be paid by the county to the board which pays the said fees, the share of the cost of education of county pupils paid to the county during the preceding year by such high school district as included in the rates levied by the county council according to the relative equalized value.

Subs. 1 to apply where no school established.

County rebates.

**12.** Clause *a* of subsection 1 of section 50 of *The High Schools Act* is amended by adding at the end thereof the words "within the county which established the centre" so that the said clause shall now read as follows:

Rev. Stat., c. 326, s. 50, subs. 1, cl. *a*, amended.

- (a) In a county in which one or more high schools have been established one or more examination centres shall be established by the high school board from time to time in each district and in other parts

Centres to be established.

of the county by the county council. The county clerk or the secretary of the board as the case may be shall give due notice to the public school inspector of the establishment of such centres, and the inspector shall attach each centre established by the county council to the centre or centres of one of the high school districts within the county which established the centre.

Rev. Stat.,  
c. 326, s. 53,  
amended.

**13.** Section 53 of *The High Schools Act* as amended by section 12 of *The School Law Amendment Act, 1931* and section 18 of *The School Law Amendment Act, 1932*, is further amended by adding thereto the following subsections:

Award of  
salary by  
way of  
penalty.

- (6) If it appears to the judge on the trial of an action for the recovery of a teacher's salary that there was not reasonable ground for the board disputing its liability or that the failure of the board to pay was from an improper motive, he may award as a penalty a sum not exceeding three months salary.

Failure of  
board to pay  
salary when  
no written  
agreement.

- (7) For the purposes of subsection 6 the failure of a board to pay a teacher's salary may be extended by a judge to include failure to pay a teacher's salary when an agreement for his employment has been made by the board but no written agreement has been entered into and executed as required by subsection 1, if the judge is satisfied upon the evidence that the refusal of the board to pay the salary by reason of the absence of an agreement in writing is without merit.

Rev. Stat.,  
c. 327, s. 4,  
amended.

**14.** Section 4 of *The Boards of Education Act* is amended by adding thereto the following subsections:

Adoption of  
two-year  
term for  
members of  
board.

- (2) The council of any municipality in which the members of the municipal board of education have been elected annually for five years under the provisions of subsection 1, may before the 1st day of October in any year submit to the vote of the persons qualified to vote for public school trustees the question—

“Are you in favour of the members of the board of education holding office for a term of two years?”

and in case the question is answered in the affirmative by a majority of the electors voting thereon, all the elective members of the board shall thereafter be elected for a term of two years in accordance with the provisions of section 3, or where the same applies

section 5, and the clerk of the municipality shall notify the secretary of the board of education in writing of the result of the voting, and all the members of the board then in office shall cease to hold office on the 31st day of December of the same year.

- (3) Whenever members of a board of education are elected under the provisions of subsection 2, elections thereunder shall continue to be held for a period of not less than six years before the members may again be elected under subsection 1. Return to one-year term.

**15.** Subsection 1 of section 91 of *The Separate Schools Act* is amended by adding at the end thereof the words "Provided that where the 1st day of September is a Friday the schools shall not be opened until the following Tuesday" so that the said subsection shall now read as follows: Rev. Stat., c. 328, s. 91, subs. 1, amended.

- (1) The school year shall consist of two terms, the first of which shall begin on the 1st day of September and shall end on the 22nd day of December, and the second of which shall begin on the 3rd day of January and end on the 29th day of June; Provided that where the 1st day of September is a Friday, the schools shall not be opened until the following Tuesday. Terms.

**16.** Section 17 of *The School Law Amendment Act, 1933*, is amended by striking out the word "and" in the first line and inserting after the figures "1934" the word and figures "and 1935" so that the said section shall now read as follows: 1933, c. 58, s. 17, amended.

17. For the years 1933, 1934 and 1935 the sum or sums to be levied and collected by assessment under the provisions of subsections 1 and 2 of section 109 of *The Public Schools Act* shall be seventy-five per centum only of the respective sums set forth or mentioned in such subsections. Sum to be collected under subss. 1 and 2 of s. 109.

**17.—(1)** Subsection 1 of section 5 of *The Teachers and Inspectors Superannuation Act* as amended by subsection 1 of section 33 of *The School Law Amendment Act, 1933*, is further amended by striking out the word "forty" in the fourth line and inserting in lieu thereof the word "thirty-nine" so that the first paragraph of the said subsection shall now read as follows: Rev. Stat., c. 331, s. 5, subs. 1, amended.

- (1) Every teacher and every inspector who applies to the Minister for the superannuation allowance provided for by this Act and who furnishes to the Minister evidence that he has been employed for at least thirty-nine years prior to the date of such application and has retired from his profession and ceased to be Annual allowance on retirement after thirty-nine years.

so employed since the 31st day of December, 1916, and who produces such proof of age, length of employment and other evidence as may be required by the regulations shall be entitled to be paid during his lifetime an annual allowance chargeable against the fund equal to one-sixtieth of his average salary for the last ten years during which he was employed or of his average salary for the full number of years during which he has made contributions to the fund whichever proves to be the greater, multiplied by the number of full years during which he was employed, and all payments so made shall be debited to the fund, but,—

Rev. Stat.,  
c. 331, s. 5,  
subs. 2,  
amended.

(2) Subsection 2 of section 5 of *The Teachers and Inspectors Superannuation Act* is amended by striking out the word "forty" in the sixth line and inserting in lieu thereof the word "thirty-nine" so that the said subsection shall now read as follows:

Retirement  
after thirty  
years service.

(2) A teacher or inspector who has been employed for at least thirty years, upon making the like application and furnishing the like evidence of employment and retirement shall be entitled to an annual allowance actuarially equivalent to that provided for in the case of a teacher or inspector retiring after thirty-nine years' employment, having regard to the difference in length of service and the earlier age at which the allowance becomes payable.

Rev. Stat.,  
c. 331, s. 5a  
(1932, c. 42,  
s. 19, subs. 3)  
amended.

**18.** Section 5a of *The Teachers and Inspectors Superannuation Act* as enacted by subsection 3 of section 19 of *The School Law Amendment Act, 1932*, is amended by adding thereto the following subsection:

When notice  
not given.

(3) A teacher or inspector who has not given the notice required within the time referred to in subsections 1 and 2, may at a later date secure the privileges set forth in such subsections by passing a medical examination satisfactory to the Commission.

1930, c. 64,  
s. 13,  
amended.

**19.** Section 13 of *The Vocational Education Act, 1930*, is amended by adding thereto the following subsection:

Purchase of  
books and  
supplies by  
committee.

(1a) Subject to the approval of the Board the Committee may purchase for the use of any or all pupils text-books and other school supplies, and either furnish the same to them free of charge or collect for the use thereof from such pupils or their parents or guardians a sum not exceeding twenty-five cents per month for each pupil to defray the cost thereof.

Commence-  
ment of Act.

**20.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 53.

## An Act respecting Subsidies for Seed Grain.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Seed Grain Subsidy Act*, Short title.  
1934.

**2.**—(1) Subject to the provisions of this Act the council of any municipality may pass by-laws to guarantee payment Guarantee of payments for seed grain. by farmers resident within the municipality of debts contracted by such farmers in the purchase of seed grain.

(2) Every such guarantee shall be made and given by the corporation of the municipality in the form and manner set forth in the by-law, but no such guarantee shall be made or given unless the same is first approved and signed by the reeve and treasurer of the municipality. Form of guarantee.

(3) All seed grain purchased by a farmer under guarantee given under this Act shall be used only for seeding purposes Seed grain,—restrictions as to use. upon the farm owned or occupied by such farmer within the municipality in which he resides.

**3.** The Lieutenant-Governor in Council may authorize the Treasurer of Ontario to pay out of the Consolidated Revenue Fund all such moneys as may be required to repay to the corporation of any municipality two-thirds of all sums expended by such municipality under or by virtue of any guarantees entered into by it under the authority of this Act. Repayment to municipality.

**4.** The Lieutenant-Governor in Council may make regulations: Regulations.

(a) respecting the guarantees to be given by municipalities under this Act and the form and manner of execution thereof;

(b)

- (b) the aggregate amount which may be guaranteed by any municipality and the maximum amount for which any specific guarantee may be given;
- (c) the proofs to be required by farmers before any guarantee is given;
- (d) the statements and returns to be made by municipalities to the Department of Agriculture;
- (e) generally for the better carrying out of the provisions of this Act.

Payments  
for seed  
grain to be  
deemed part  
of current  
expenditure.

Rev. Stat.,  
cc. 233, 238.

5. Any expenditures made or estimated to be made by the corporation of a municipality under this Act shall for the purposes of *The Municipal Act* and *The Assessment Act* form part of the current expenditure of such corporation in the year in which the same is made.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 54.

## The Statute Law Amendment Act, 1934.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Statute Law Amendment Act, 1934.* Short title.

**2.**—(1) Notwithstanding the provisions of *The Assessment Act* failure on the part of a municipal corporation or of its agents or officers to levy by distress taxes which are a lien upon land and remain unpaid shall not invalidate any proceedings to bring the land to sale for non-payment of such taxes or the sale of such land, and no action may be brought by the owner of the land or any person claiming by, through or under him or under any former owner, to prevent or set aside such sale or to set aside the tax deed of the land when sold or to recover the said land, and every such action shall be barred. Failure to distrain not to affect sale proceedings.

(2) Subsection 1 shall apply to all taxes which heretofore have been imposed or levied or which hereafter and prior to the 31st day of December, 1934, are imposed and levied by any municipal corporation or the council thereof under the authority of any statute or by-law. Application of subsection 1.

**3.** Section 2 of *The Barristers Act* is amended by striking out the words "or residents of Ontario who have taken the oath of allegiance and have declared their intention to become British subjects" in the fourth, fifth and sixth lines, and by striking out all the words after the word "courts" in the eighth line so that the said section shall now read as follows: Rev. Stat., c. 193, s. 2, amended.

**2.** The benchers of the Law Society may make such rules, regulations or by-laws as shall to them seem necessary and proper touching the call or admission of any persons, being British subjects, to practise at the Bar of His Majesty's courts of Ontario and such persons and no others shall be entitled to practise within the said courts. Benchers may make rules as to admission of barristers.

1879, c. 81,  
s. 4, subs. 2  
(1919, c. 126,  
s. 3), re-  
enacted.

4. Subsection 2 of section 4 of the Act relating to what is now known as "The Canadian National Exhibition Association" passed in the forty-second year of the reign of Her late Majesty Queen Victoria and chaptered 81 as enacted by section 3 of the Act passed in the ninth year of the reign of His Majesty King George V and chaptered 126, is repealed and the following substituted therefor:

City council  
section.

(2) The city council section shall consist of the mayor of the city of Toronto, all other members of the council of the said city, the chief constable of the said city and all permanent heads of civic departments appointed by the said council.

Community  
hall, grant  
to

Rev. Stat.,  
c. 247.

5. The Minister of Agriculture may make a grant under the authority of and to the amount set forth in section 2 of *The Community Halls Act* to assist in providing for a community hall in any town where in the opinion of the Minister such community hall may serve the purposes of the inhabitants of townships adjacent to such town.

Rev. Stat.,  
c. 218, s. 45,  
repealed.

6.—(1) Section 45 of *The Companies Act* is repealed.

Rev. Stat.,  
c. 218, s. 46,  
amended.

(2) Section 46 of *The Companies Act* is amended by striking out the words "including the statutory meeting and the annual and special meetings" in the fourth and fifth lines and inserting in lieu thereof the words "unless all the shareholders waive in writing such notice," so that the said section shall now read as follows:

Notice of  
meeting.

46. In default of other express provision in the special Act, the letters patent, or supplementary letters patent or by-laws of a company, notice of the time and place for holding general meetings of every company unless all the shareholders waive in writing such notice, shall be given at least ten days previously thereto by registered letter to each shareholder at his last known address, and by an advertisement in a newspaper published at or as near as may be to the place where the company has its head office, and to the chief place of business of the company if these differ.

Rev. Stat.,  
c. 218, s. 53,  
amended.

(3) Section 53 of *The Companies Act* is amended by adding thereto the following subsection:

Power of  
director to  
act as proxy.

(7) A director of a company may be appointed and act as a proxy at any meeting of the company, notwithstanding that he is an officer of such company within the meaning of any special Act.

(4) Subsection 1 of section 278 of *The Companies Act* is amended by striking out the words "at least two weeks" in the fifth line and inserting in lieu thereof the words "seven days," so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 218, s. 278,  
subs. 1,  
amended.

- (1) Notice of every annual, general or special general meeting of the corporation shall be sent by post to every shareholder and member and shall be published in a newspaper published at or near the place where the head office is located seven days previous to the day of the meeting.

Notice  
of annual  
or special  
meeting.

(5) The said section 278 of *The Companies Act* is amended by adding thereto the following subsection:

Rev. Stat.,  
c. 218, s. 278,  
amended.

- (3) The directors shall, seven days prior to the date of the annual meeting, send to every member by post the annual statement for the year ending on the previous 31st day of December, which shall be certified by the auditors, and shall be in the form prescribed by the regulations passed pursuant to section 71 of *The Insurance Act*.

Annual  
statement to  
be sent to  
members.

Rev. Stat.,  
c. 222.

(6) Subsection 1 of section 318a of *The Companies Act* as enacted by section 11 of *The Companies Act, 1930*, and amended by section 15 of *The Companies Act, 1931*, and subsection 1 of section 14 of *The Companies Act, 1933* is further amended by inserting after the word "company" in the second line the words "or a cash-mutual insurance corporation" so that the first three lines of the said subsection shall now read as follows:

Rev. Stat.,  
c. 218, s.  
318a, subs. 1  
(1930, c. 37,  
s. 11),  
amended.

- (1) The report of the auditors of a joint stock insurance company or a cash-mutual insurance corporation required to be made by section 137 shall also state:

Report of  
auditors of  
company.

(7) *The Companies Act* is amended by adding thereto the following section:

Rev. Stat.,  
c. 218,  
amended.

318e. No person shall be eligible to become or shall be elected a director of a joint stock insurance company unless he is of the full age of twenty-one years and holding in his own name and for his own use and absolutely in his own right shares of the capital stock of the company upon which at least \$1,000 has been paid in and has paid in cash all calls and instalments due thereon and all liabilities incurred by him to the company.

Director of  
joint stock  
insurance  
company,—  
quali-  
fications.

7. *The Companies Information Act, 1928*, is amended by adding thereto the following section:

1928, c. 33,  
amended.

5b. Any affidavit required under the provisions of this Act may be taken before any person having authority

Taking of  
affidavits.

to administer oaths or before any person specially authorized for that purpose by the Lieutenant-Governor in Council but any person so specially authorized shall not charge any fee therefor.

Rev. Stat.,  
c. 125, s. 36,  
subs. 1,  
amended.

8. Subsection 1 of section 36 of *The Constables Act* is amended by striking out the words "by writing addressed to the Commissioner of Police for Ontario" where they occur in the first and second lines thereof, and by striking out the word "Commissioner" in the fifth line and inserting in lieu thereof the words "Crown attorney," so that the said subsection shall now read as follows:

When  
county to  
pay expenses  
of Ontario  
police.

- (1) When the Crown attorney of any county requests the services of a member of the Force the expenses of any member of the Force furnished in compliance with such request shall be certified by the Crown attorney and the amount so certified shall be paid by the treasurer of the county to the Treasurer of Ontario.

Rev. Stat.,  
c. 93,  
amended.

9. *The County Court Judges' Criminal Courts Act* is amended by adding thereto the following section:

Appeals,  
R.S.C., c. 36,  
Rev. Stat.,  
c. 121.

2. Where under any of the provisions of the *Criminal Code* (Canada) or of *The Summary Convictions Act* an appeal is made to a county or district court, such appeal may be heard by the county or district judge in the court constituted under this Act.

1928, c. 31,  
s. 12,  
amended.

10. Section 12 of *The Embalmers and Funeral Directors Act*, 1928, is amended by adding thereto the following subsection:

Regu-  
lations as  
to fluids and  
chemicals to  
be used

- (2) The Lieutenant-Governor in Council may make regulations governing and prescribing the kinds of fluid and chemicals which may be used in the practice of embalming.

By-law  
No. 3348,  
City of Fort  
William,  
confirmed.

11. By-law number 3348 of the corporation of the city of Fort William to guarantee the bonds of the Fort William Sanatorium to the extent of \$125,000, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the council of the said corporation may do all things necessary to carry out the purposes of the said by-law in accordance with the provisions thereof; and the said by-law shall be construed as if the words "Fort William Sanatorium" where they occur therein had been and refer to the "Fort William Sanatorium."

Rev. Stat.,  
c. 348, s. 4,  
amended.

12. Section 4 of *The Houses of Refuge Act* is amended by adding thereto the following subsection:

- (5) Where two or more cities or separated towns and one county or more than one county agree to establish a joint house of refuge, the agreement shall provide for the appointment of persons who shall form the board of management and such persons may include any member of the councils of such municipalities and any agreement heretofore entered into for the establishment of such a house of refuge may be amended to provide for the appointment of a board of management as set forth in this subsection.

Agreement  
to provide  
for board of  
manage-  
ment.

**13.** Section 79 of *The Judicature Act* is amended by adding thereto the following subsection:

Rev. Stat.,  
c. 88, s. 79,  
amended.

- (4) Where under any statute, rule or order, or in any action or proceeding, anything is directed to be done by the Master of the Supreme Court, any Assistant Master shall have, and shall be deemed to have always had, power to act as fully and effectually as the Master of the Supreme Court.

Powers of  
Assistant  
Masters.

**14.**—(1) Clause *b* of section 5 of *The Law Society Act* as re-enacted by section 13 of *The Statute Law Amendment Act 1930*, is amended by striking out the words “and every person who having been elected a benchman pursuant to the provisions of this Act, is or has been Deputy Attorney-General for Ontario” in the second, third, fourth and fifth lines, so that the said clause shall now read as follows:

Rev. Stat.,  
c. 192, s. 5  
(1930, c. 21,  
s. 13),  
amended.

- (b) The Attorney-General for Ontario and every person who has held that office.

Attorney-  
General

(2) Section 35 of *The Law Society Act* is amended by striking out the words “under the inspection of the visitors” in the second and third lines, so that the said section shall now read as follows:

Rev. Stat.,  
c. 192, s. 35  
amended.

35. The benchers may make rules for the government of the Society and other purposes connected therewith.

Rules of  
Govern-  
ment.

(3) Subsection 1 of section 42 of *The Law Society Act* is amended by striking out the words “with the approbation of the visitors” in the first and second lines, so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 192, s. 42,  
subs. 1,  
amended.

- (1) The benchers may make such rules as they consider necessary for conducting the examination of persons applying to be admitted as solicitors, touching the articles and service, and the certificates required to be produced by them before their admission, and as to the fitness and capacity of such persons to act as solicitors.

Rules for  
examination  
of candidates  
for admis-  
sion as  
solicitors.

Rev. Stat.,  
c. 280, s. 2,  
subs. 3, re-  
enacted.

**15.** Subsection 3 of section 2 of *The Mothers' Allowances Act* as amended by subsection 2 of section 16 of *The Statute Law Amendment Act, 1929*, is repealed and the following substituted therefor:

Allowance  
in special  
cases.

- (3) In cases presenting special circumstances where investigation has shown the advisability of an allowance being granted to the children dependent upon a mother or foster mother who is not strictly eligible under the terms of subsection 1 or subsection 2, or where an allowance will cease by reason of one only of the children remaining under sixteen years of age and one or more of the other children continue to attend a school or other educational institution until the age of eighteen years, the Commission may recommend to the Lieutenant-Governor in Council the granting of an allowance and the amount of the same, and the Lieutenant-Governor in Council may consider any such recommendation and direct the payment of an allowance accordingly, notwithstanding that such payment is not expressly provided for in this Act.

1931, c. 78  
s. 18, subs. 1  
(1933, c. 51,  
s. 3),  
amended.

**16.—**(1) Subsection 1 of section 18 of *The Public Hospitals Act, 1931*, as re-enacted by section 3 of *The Public Hospitals Act, 1933*, is amended by inserting after the word "day" in the eighth line the words "except in the case of a hospital which, under the regulations, is classed as a convalescent hospital the payment of such charges shall be at a rate not exceeding 90 cents per day," so that the said subsection shall now read as follows:

Municipal  
liability for  
indigents.

- (1) Subject as in this Act may otherwise be provided, when any patient in a hospital other than a hospital for incurables is an indigent person or a dependant of an indigent person, that municipality in which such person was a resident at the time of admission shall be liable to the hospital for payment of the charges for treatment of such patient at a rate not exceeding \$1.75 per day, except in the case of a hospital which, under the regulations, is classed as a convalescent hospital the payment of such charges shall be at a rate not exceeding 90 cents per day, and when any patient in a hospital for incurables is certified in accordance with the regulations to be an incurable person, that municipality in which such person was a resident at the time of admission shall be liable to the hospital for incurables for payment of the charges for treatment of such patient at a rate not exceeding \$1.50 per day.

(2) Clause *a* of subsection 1 of section 34 of *The Public Hospitals Act, 1931*, is amended by adding at the end thereof the words "except in the case of a hospital which under the regulations is classed as a convalescent hospital, payment shall be at the rate of 30 cents per day up to one hundred and twenty days," so that the said clause shall now read as follows:

1931, c. 78,  
s. 34, subs. 1,  
cl. a,  
amended.

- (a) For treatment of every patient who is an indigent person or the dependant of an indigent person, other than a baby, as in paragraph *b* mentioned, at the rate of 60 cents per day for every day up to one hundred and twenty days that such patient is receiving treatment in a hospital except in the case of a hospital which under the regulations is classed as a convalescent hospital, payment shall be at the rate of 30 cents per day up to one hundred and twenty days.

Initial  
indigent rate  
of aid.

(3) Section 35 of *The Public Hospitals Act, 1931*, as re-enacted by section 6 of *The Public Hospitals Act, 1933*, is amended by adding at the end thereof the words "or in the case of a convalescent hospital, 90 cents per day from all sources other than provincial aid," so that the said section shall now read as follows:

1931, c. 78,  
s. 35 (1933,  
c. 51, s. 6),  
amended.

35. Except as otherwise provided in this Act, no provincial aid shall be granted to any hospital in respect of a patient therein if the charges received by the hospital in respect of such patient exceed, in the case of a hospital for incurables \$1.50 a day and in all other hospitals \$1.75 per day from all sources other than provincial aid, or in the case of a convalescent hospital, 90 cents per day from all sources other than provincial aid.

Limitations  
as to  
patients  
subject to  
aid.

17. Subsection 1 of section 17 of *The Public Utilities Act* is repealed and the following substituted therefor:

Rev. Stat.,  
c. 249, s. 17,  
subs. 1, re-  
enacted.

- (1) The corporation of any municipality may manufacture, procure, produce and supply for its own use and the use of the inhabitants of the municipality any public utility for any purpose for which the same may be used; and for such purposes may purchase, construct, improve, extend, maintain and operate any works which may be deemed requisite and may acquire any patent or other right for the manufacture, production or supply of any such public utility; and for any of the said purposes or for any purpose for which a public utility may be used, may acquire by purchase or otherwise fittings, fixtures, apparatus, appliances, machines, meters and other

Power of  
corporation  
to produce  
and supply  
public  
utilities.

equipment and may supply or dispose of the same by sale, lease or otherwise and may provide for the installation and maintenance thereof in or upon the lands and premises of users of the public utility.

1931, c. 76,  
s. 38, subs. 1,  
amended.

**18.**—(1) Subsection 1 of section 38 of *The Sanatoria for Consumptives Act, 1931*, is amended by adding at the end thereof the following words: “except in the case of a sanatorium which under the regulations is classed as a convalescent sanatorium the payment of such charges shall be at a rate not exceeding 90 cents per day,” so that the said subsection shall now read as follows:

Municipal  
liability for  
indigent  
patients.

- (1) Subject as in this Act may otherwise be provided when any patient in a sanatorium is an indigent person or a dependant of an indigent person, that municipality in which such person was a resident at the time of admission shall be liable to the sanatorium for payment of the charges for treatment of such patient at a rate not exceeding \$1.50 per day except in the case of a sanatorium which under the regulations is classed as a convalescent sanatorium the payment of such charges shall be at a rate not exceeding 90 cents per day.

1931, c. 76,  
s. 51, subs. 1,  
cl. a,  
amended.

(2) Clause *a* of subsection 1 of section 51 of *The Sanatoria for Consumptives Act, 1931*, is amended by adding at the end thereof the words “except in the case of a sanatorium for consumptives which under the regulations is classed as a convalescent sanatorium, payment shall be at the rate of 30 cents per day” so that the said clause shall now read as follows:

Indigent  
rate of aid.

- (a) for treatment of every patient who is an indigent person or the dependant of an indigent person, at the rate of 75 cents per day for every day that such patient is receiving treatment in a sanatorium, except in the case of a sanatorium for consumptives which under the regulations is classed as a convalescent sanatorium, payment shall be at the rate of 30 cents per day.

1931, c. 76,  
s. 51, subs. 3,  
amended.

(3) Subsection 3 of the said section 51 of *The Sanatoria for Consumptives Act, 1931*, is amended by adding at the end thereof the words “or in the case of a convalescent sanatorium exceed 90 cents per day from all sources other than provincial aid,” so that the said subsection shall now read as follows:

Limitation as  
to patients  
subject  
of aid.

- (3) Except as otherwise provided in this Act, no provincial aid shall be granted to any sanatorium in respect of a patient therein, if the charges received by the sanatorium in respect to such patient exceed

\$1.50 per day from all sources other than provincial aid, or in the case of a convalescent sanatorium exceed 90 cents per day from all sources other than provincial aid.

**19.** Section 3 of *The Solicitors Act* is amended by striking out the words "or residents of Ontario who have taken the oath of allegiance and have declared their intention to become British subjects" in the fourth, fifth and sixth lines, and by striking out all the words after the word "Ontario" in the eighth line, so that the said section shall now read as follows: Rev. Stat., c. 194, s. 3, amended.

3. The benchers of the Law Society may make such rules, regulations or by-laws as shall to them seem necessary and proper touching the admission of any persons, being British subjects, who may be admitted and enrolled as solicitors, and such persons and no others shall be entitled to practise as solicitors in Ontario. Rules as to admission, etc., of solicitors.

**20.**—(1) Subsection 1 of section 19 of *The Statute Law Amendment Act, 1933*, is amended by striking out the words "said corporation" in the third and fourth lines and inserting in lieu thereof the words "corporation of the county of York". 1933, c. 59, s. 19, subs. 1, amended.

(2) Subsection 1 shall be deemed to have come into force and taken effect on, from and after the 1st day of July, 1933. Commencement of subsection 1.

**21.** Notwithstanding anything contained in *The Windsor, Essex and Lake Shore Railway Act, 1933*, the provisions of the said Act shall continue in force and have effect until the 30th day of June, 1935. 1933, c. 111, continued.

**22.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 55.

## An Act to consolidate and amend The Succession Duty Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Succession Duty Act, 1934.*

Interpre-  
tation.

2. In this Act,—

“Aggregate  
value.”

(a) “Aggregate value” or “aggregate value of the property” shall mean the fair market value, at the date of death of the deceased, of the property, passing on the death, after the debts, encumbrances and other allowances, authorized by section 3, are deducted therefrom, and for the purposes of determining the aggregate value and all rates of duty provided for in subsections 1 and 2 of section 7, the value of the property situate out of Ontario and the value of Ontario bonds issued under any Statute of the Province of Ontario exempting them from duty shall be included, whether the deceased was, at the time of his death, domiciled in Ontario or elsewhere;

“Beneficial  
interest.”

(b) “Beneficial interest” and “dutiable value” shall mean the fair market value of the property after the debts, encumbrances and other allowances, and exemptions authorized by this Act, are deducted therefrom;

“Child.”

(c) “Child” shall include any lawful child of the deceased or any lineal descendant of such child born in lawful wedlock or any person adopted while under the age of twelve years by the deceased as his child or any person to whom the deceased, during the infancy of such person, stood in *loco parentis* for a period of not less than five years or any lineal descendant of such adopted child or person as aforesaid;

“Executor.”

(d) “Executor” shall include administrator and administrator with the will annexed.

(e)

- (e) "Interest in expectancy" shall include an estate, <sup>"Interest in expectancy."</sup> income or interest in remainder or reversion and any other future interest whether vested or contingent but shall not include a reversion expectant on the determination of a lease;
- (f) "Passing on the death" shall mean passing either <sup>"Passing on the death."</sup> immediately on the death or after an interval, either certainly or contingently, and either originally or by way of substitutive limitation, whether the deceased was at the time of his death domiciled in Ontario or elsewhere;
- (g) "Property" shall include real and personal property <sup>"Property."</sup> of every description and every estate and interest therein capable of being devised or bequeathed by will or of passing on the death of the owner to his heirs or personal representatives;
- (h) "Treasurer" shall mean Treasurer of Ontario. R.S.O. <sup>"Treasurer."</sup> 1927, c. 26, s. 1; 1931, c. 7, s. 2. *Amended.*

**3.** In determining the dutiable value of property or the value of a beneficial interest in property the fair market value shall be taken as at the date of the death of the deceased, and allowance shall be made for reasonable funeral expenses, debts and encumbrances, and Surrogate Court fees (not including solicitor's charges); and any debt or encumbrance for which an allowance is made shall be deducted from the value of the land or other subject of property liable thereto; but an allowance shall not be made,—

- (a) for any debts incurred by the deceased or encumbrances created by a disposition made by him unless such debts or encumbrances were created *bona fide* for full consideration in money or money's worth wholly for the deceased's own use and benefit and to take effect out of his estate; nor <sup>No allowance to be made for certain debts and expenses of administration.</sup>
- (b) for any debt in respect whereof there is a right to reimbursement from any other estate or person unless such reimbursement cannot be obtained; nor
- (c) more than once for the same debt or encumbrance charged upon different portions of the estate; nor
- (d) save as aforesaid, for the expense of the administration of the estate or the execution of any trust created by the will of the deceased or by any instrument made by him in his lifetime; nor

- (e) for any debt or encumbrance, or portion thereof, which, by due process of law, cannot be realized out of the property. R.S.O. 1927, c. 26, s. 4; 1933, c. 61, s. 2. *Amended.*

Exemption  
from suc-  
cession duty.

4. No duty shall be leviable,—

- (a) on any estate the aggregate value of which does not exceed \$5,000;
- (b) on property passing by will, intestacy, or otherwise, to or for the benefit of any lineal ancestor of the deceased, except the grandfather, grandmother, father and mother, or to any brother or sister of the deceased, or to any descendant of such brother or sister, or to a brother or sister of the father or mother of the deceased, or to any descendant of such last mentioned brother or sister, where the aggregate value of the property of the deceased does not exceed \$10,000;
- (c) on property passing by will, intestacy or otherwise, to or for the benefit of the grandfather, grandmother, father, mother, husband, wife, child, daughter-in-law or son-in-law of the deceased where the aggregate value of the property of the deceased does not exceed \$25,000;
- (d) where the whole value of any property passing to any one person does not exceed \$500;
- (e) where the property passing to any one person consists wholly of an annuity of not more than \$100 per annum, or of an estate or interest for life or for a term in any property the yearly income from which does not exceed \$100;
- (f) on property given, devised or bequeathed to a religious, charitable or educational organization for religious, charitable or educational purposes to be carried out in Ontario; provided that where the organization carries on its work both in and out of Ontario, the exemption from duty shall be allowed only upon such portion of the gift, devise or bequest as is in the same ratio to the whole that the ratio of expenditures of the organization for carrying on its work in Ontario bears to its total expenditures. R.S.O. 1927, c. 26, s. 6; 1931, c. 7, s. 5; 1933, c. 61, s. 4. *Amended.*

Remission  
of duty in  
cases of  
persons  
killed in the  
war.

5. Where any person dies from wounds inflicted, accident occurring or disease contracted, within twelve months before death while in the active military or naval service of His

Majesty,

Majesty, whether in Canada or abroad, the Treasurer may, if he thinks fit, remit the whole or any part of the duty chargeable in respect of property passing upon the death of the deceased to the wife, husband, child, son-in-law, daughter-in-law, father, mother, brother or sister of the deceased. R.S.O. 1927, c. 26, s. 7.

6.—(1) All property situate in Ontario and any income therefrom passing on the death of any person, whether the deceased was at the time of his death domiciled in Ontario or elsewhere, and every transmission within Ontario owing to the death of a person domiciled therein of personal property locally situate outside Ontario at the time of such death, shall be subject to duty at the rates hereinafter imposed. R.S.O. 1927, c. 26, s. 8 (1). *Amended.*

Property situate in Ontario and transmission within Ontario subject to duty.

(2) Property passing on the death of the deceased shall be deemed to include for all purposes of this Act the following property,—

Property deemed to pass on the death.

- (a) Any property, or income therefrom, voluntarily transferred by deed, grant, bargain, sale or gift made in general contemplation of the death of the grantor, bargainor, vendor or donor and with or without regard to the imminence of such death, or made or intended to take effect in possession or enjoyment after such death to any person in trust or otherwise, or the effect of which is that any person becomes beneficially entitled in possession or expectancy to such property or income;
- Property transferred in contemplation of death.
- (b) (i) Any property taken as a *donatio mortis causa*;
- Donatio mortis causa.
- (ii) Any property taken under a disposition operating or purporting to operate as an immediate gift *inter vivos*, whether by way of transfer, delivery, declaration of trust or otherwise, made since the 1st day of July, 1892;
- (iii) Any property taken under any gift whenever made of which actual and *bona fide* possession and enjoyment shall not have been assumed by the donee immediately upon the gift and thenceforward retained to the entire exclusion of the donor or of any benefit to him, whether voluntary or by contract or otherwise, except as hereinafter mentioned;
- Gifts where possession and enjoyment have not passed.
- (c) Any property, real or personal, including money in banks or other institutions, held in the joint names of the deceased and one or more persons and payable to
- Property held in joint names of deceased and one or more persons.

to or passing to the survivor or survivors or the portion of such joint property which is so payable or which passes as aforesaid but notwithstanding anything herein contained that part of such joint property payable or passing as aforesaid which is shown to the satisfaction of the Treasurer to have been contributed by some person other than the deceased shall not be deemed to be property passing on the death;

Property  
passing  
under  
settlement,  
etc

- (d) Any property, passing under any past or future settlement, including any trust, whether expressed in writing or otherwise, and if contained in a deed or other instrument effecting the settlement, whether such deed or other instrument was made for valuable consideration or not, as between the settlor and any other person, made by deed or other instrument not taking effect as a will, whereby an interest in such property or the proceeds of sale thereof for life, or any other period determinable by reference to death, is reserved, either expressly or by implication to the settlor, or whereby the settlor may have reserved to himself, the right by the exercise of any power to restore to himself, or to reclaim the absolute interest in such property, or the proceeds of sale thereof, or to otherwise resettle the same or any part thereof, or where the property so passing or some part thereof, or some fund therein, or any property fund or assets resulting from the conversion of any such property or fund, is held for any benefit of the settlor, whether or not there is such reservation or any reservation whatsoever to the settlor;

Annuities,  
insurance,  
etc.

- (e) Any annuity or other interest purchased or provided by the deceased, either by himself alone or in concert or by arrangement with any other person, to the extent of the beneficial interest accruing or arising by survivorship or otherwise on the death of the deceased;

Policies of  
insurance.

- (f) Money received under a policy of insurance whether such insurance is payable to or in favour of a preferred beneficiary within the meaning of *The Insurance Act*, or not, effected by any person on his life, where the policy is wholly kept up by him for the benefit of any existing or future donee, whether nominee or assignee, or for any person who may become a donee, or a part of such money in proportion to the premiums paid by him, where the policy is partially kept up by him for such benefit;

Rev. Stat.,  
c. 222.

- (g) The premiums paid on that portion of a policy of insurance applied to the payment of duty where such policy of insurance is made payable to the estate of the deceased in trust for the Treasurer for the purpose of providing money necessary to pay the duty on the estate of the deceased, whether originally issued or subsequently endorsed for such purpose, but notwithstanding anything herein contained, moneys received by the Treasurer on such last-mentioned policy and applied by him in full of or on account of the Ontario Duty shall not be deemed to be property passing on the death of the deceased and duty shall not be payable thereon; Insurance to provide duty.
- (h) Any property of which the person dying was at the time of his death competent to dispose; and a person shall be deemed competent to dispose of property if he has such an estate or interest therein or such general power as would, if he were *sui juris*, enable him to dispose of the property as he thinks fit, whether the power is exercisable by instrument *inter vivos* or by will or both, including the powers exercisable by a tenant in tail whether in possession or not, but exclusive of any power exercisable in a fiduciary capacity under a disposition not made by himself or as mortgagee. A disposition taking effect out of the interest of the person so dying shall be deemed to have been made by him whether concurrence of any other person was or was not required. Money which a person has a general power to charge on property shall be deemed to be property of which he has the power to dispose; Property over which decedent had power of disposal.
- (i) Any estate in dower or by the curtesy in any land of the person so dying to which the wife or husband of the deceased becomes entitled on the decease of such person; Dower and curtesy.
- (j) Any property transferred since the 1st day of July, 1892, for partial consideration in money or money's worth paid to the transferor for his own use and benefit to the extent to which the value of the property so transferred exceeds the value of the consideration so paid. R.S.O. 1927, c. 26, s. 8 (2); 1931, c. 7, s. 6; 1932, c. 6, s. 2. *Amended.* Property deemed to pass on death.

(3) When a person dies domiciled within Ontario and the beneficial interest in any of the property mentioned in subsection 2, being personalty, and being situated outside of Ontario at the time of the death, passes on the death to a person or persons resident or domiciled within Ontario at the

time

time of the death, there shall be deemed to be with respect to such property "a transmission within Ontario owing to the death of a person domiciled therein of personal property locally situate outside Ontario" within the meaning of this Act, and such transmission shall be subject to duty at the rates hereinafter imposed. *New.*

**Exemptions.** (4) Notwithstanding anything herein contained, no duty shall be payable in respect of any property (of which actual and *bona fide* possession and enjoyment shall have been assumed by the donee immediately upon the gift and thenceforward retained to the entire exclusion of the donor or of any benefit to him, whether voluntarily or by contract or otherwise),—

Property transferred to certain relatives more than three years before death.

(a) given more than three years before the death of the donor to the father, mother, child, son-in-law or daughter-in-law of the donor, to the value or amount of \$20,000 in the aggregate among all of them; or

Gifts *inter vivos* to \$500.

(b) given by the donor in his lifetime and not exceeding in value the sum of \$500 in the case of any one donee; or

Property transferred for consideration.

(c) actually and *bona fide* transferred for full consideration in money or money's worth paid to the transferor for his own use and benefit. R.S.O. 1927, c. 26, s. 8 (3).

Amount of duty.

**7.—**(1) Subject to the exceptions mentioned in sections 4, 5 and 6, there shall be levied and paid for raising a revenue for provincial purposes, on all property situate in Ontario and any income therefrom, passing on the death of any person, whether the deceased was at the time of his death domiciled in Ontario or elsewhere, and with respect to every transmission within Ontario owing to the death of a person domiciled therein of personal property locally situate outside Ontario at the time of such death, according to the dutiable value, duty at the following rates, over and above the fees paid under *The Surrogate Courts Act*,—

Rev. Stat. c. 94.

Where property passes to grand-parents, etc., and exceeds \$25,000.

(i) Where the aggregate value of the property exceeds \$25,000 and any property situate in Ontario or any income therefrom passes in the manner hereinbefore mentioned or there is a transmission within Ontario of personal property locally situate outside Ontario in manner hereinbefore mentioned, to or for the benefit of the grandfather, grandmother, father, mother, husband, wife, child, son-in-law or daughter-in-law of the deceased, such Ontario property and

income,

income, and such transmission, shall be subject to a duty at the rate and on the scale as follows:

Where the aggregate value,—

- (a) Exceeds \$25,000 and does not exceed \$50,000—  
1 per centum plus  $\frac{6}{100}$  of 1 per centum for  
each full \$1,000 by which the aggregate  
value exceeds \$25,000;
- (b) Exceeds \$50,000 and does not exceed \$75,000—  
 $2\frac{1}{2}$  per centum plus  $\frac{4}{100}$  of 1 per centum for  
each full \$1,000 by which the aggregate  
value exceeds \$50,000;
- (c) Exceeds \$75,000 and does not exceed \$100,000—  
 $3\frac{1}{2}$  per centum plus  $\frac{6}{100}$  of 1 per centum for  
each full \$1,000 by which the aggregate  
value exceeds \$75,000;
- (d) Exceeds \$100,000 and does not exceed  
\$150,000—5 per centum plus  $\frac{1}{100}$  of 1 per  
centum for each full \$1,000 by which the  
aggregate value exceeds \$100,000;
- (e) Exceeds \$150,000 and does not exceed  
\$200,000— $5\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per  
centum for each full \$1,000 by which the  
aggregate value exceeds \$150,000;
- (f) Exceeds \$200,000 and does not exceed  
\$300,000—6 per centum plus  $\frac{1}{100}$  of 1 per  
centum for each full \$2,000 by which the  
aggregate value exceeds \$200,000;
- (g) Exceeds \$300,000 and does not exceed  
\$400,000— $6\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per  
centum for each full \$2,000 by which the  
aggregate value exceeds \$300,000;
- (h) Exceeds \$400,000 and does not exceed  
\$500,000—7 per centum plus  $\frac{1}{100}$  of 1 per  
centum for each full \$2,000 by which the  
aggregate value exceeds \$400,000;
- (i) Exceeds \$500,000 and does not exceed  
\$600,000— $7\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per  
centum for each full \$2,000 by which the  
aggregate value exceeds \$500,000;

- (j) Exceeds \$600,000 and does not exceed \$700,000—8 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$600,000;
- (k) Exceeds \$700,000 and does not exceed \$800,000—8½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$700,000;
- (l) Exceeds \$800,000 and does not exceed \$900,000—9 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$800,000;
- (m) Exceeds \$900,000 and does not exceed \$1,000,000—9½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$900,000;
- (n) Exceeds \$1,000,000—10 per centum.

Additional  
duty where  
share  
exceeds  
\$50,000.

- (ii) Where the aggregate value of the property exceeds \$50,000 and the value of the property passing in manner hereinbefore mentioned to any one of the persons mentioned in paragraph (i) of this subsection exceeds the amount hereinafter mentioned, a further duty shall be paid on all property situate in Ontario and any income therefrom so passing, and with respect to the transmission mentioned in this subsection, to or for the benefit of any one of the persons mentioned in said paragraph (i), at the rate and on the scale as follows:

Where the whole amount so passing to one person,—

- (a) Exceeds \$50,000 and does not exceed \$75,000—1½ per centum plus  $\frac{2}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$50,000;
- (b) Exceeds \$75,000 and does not exceed \$100,000—2 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$75,000;
- (c) Exceeds \$100,000 and does not exceed \$150,000—2½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$100,000:

(d)

- (d) Exceeds \$150,000 and does not exceed \$300,000—3 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$3,000 by which the whole amount so passing exceeds \$150,000;
- (e) Exceeds \$300,000 and does not exceed \$400,000—3½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$300,000;
- (f) Exceeds \$400,000 and does not exceed \$500,000—4½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$400,000;
- (g) Exceeds \$500,000 and does not exceed \$600,000—5 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$500,000;
- (h) Exceeds \$600,000 and does not exceed \$700,000—5½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$600,000;
- (i) Exceeds \$700,000 and does not exceed \$750,000—6 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$700,000;
- (j) Exceeds \$750,000 and does not exceed \$800,000—6½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$750,000;
- (k) Exceeds \$800,000 and does not exceed \$900,000—7 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$800,000;
- (l) Exceeds \$900,000 and does not exceed \$1,000,000—7½ per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$900,000;
- (m) Exceeds \$1,000,000 and does not exceed \$1,200,000—8 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$4,000 by which the whole amount so passing exceeds \$1,000,000;

- (n) Exceeds \$1,200,000 and does not exceed \$1,400,000— $8\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$4,000 by which the whole amount so passing exceeds \$1,200,000;
- (o) Exceeds \$1,400,000 and does not exceed \$1,600,000—9 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$4,000 by which the whole amount so passing exceeds \$1,400,000;
- (p) Exceeds \$1,600,000 and does not exceed \$1,800,000— $9\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$4,000 by which the whole amount so passing exceeds \$1,600,000;
- (q) Exceeds \$1,800,000 and does not exceed \$2,000,000—10 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$4,000 by which the whole amount so passing exceeds \$1,800,000;
- (r) Exceeds \$2,000,000 and does not exceed \$2,200,000— $10\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$4,000 by which the whole amount so passing exceeds \$2,000,000;
- (s) Exceeds \$2,200,000 and does not exceed \$2,400,000—11 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$2,200,000;
- (t) Exceeds \$2,400,000 and does not exceed \$2,600,000—12 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$2,400,000;
- (u) Exceeds \$2,600,000 and does not exceed \$2,800,000—13 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$2,600,000;
- (v) Exceeds \$2,800,000 and does not exceed \$3,000,000—14 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$2,800,000;
- (w) Exceeds \$3,000,000—15 per centum.

Rate of duty  
where  
property  
passes to  
certain  
relatives.

- (iii) Where the aggregate value of the property exceeds \$10,000 and any property situate in Ontario or any income therefrom passes in the manner hereinbefore

mentioned

mentioned or there is a transmission within Ontario of personal property locally situate outside of Ontario in the manner hereinbefore mentioned, to or for the benefit of any lineal ancestor of the deceased except the grandfather, grandmother, father and mother, or to any brother or sister of the deceased or to any descendant of such brother or sister, or to a brother or sister of the father or mother of the deceased, or to any descendant of such last mentioned brother or sister, such Ontario property and income, and such transmission shall be subject to a duty at the rate and on the scale as follows:

Where the aggregate value,—

- (a) Exceeds \$10,000 and does not exceed \$30,000—  
5 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the aggregate value exceeds \$10,000;
- (b) Exceeds \$30,000 and does not exceed \$60,000—  
7 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the aggregate value exceeds \$30,000;
- (c) Exceeds \$60,000 and does not exceed \$100,000—10 per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$1,000 by which the aggregate value exceeds \$60,000;
- (d) Exceeds \$100,000 and does not exceed \$200,000—12 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the aggregate value exceeds \$100,000;
- (e) Exceeds \$200,000 and does not exceed \$400,000—13 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$200,000;
- (f) Exceeds \$400,000 and does not exceed \$600,000—14 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$400,000;
- (g) Exceeds \$600,000 and does not exceed \$800,000—15 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$600,000;

(h)

(h) Exceeds \$800,000 and does not exceed \$1,000,000—16 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$800,000;

(i) Exceeds \$1,000,000—17 per centum.

Additional  
duty where  
share  
exceeds  
\$10,000.

(iv) Where the aggregate value of the property exceeds \$10,000, and the value of the property passing in manner hereinbefore mentioned to any one of the persons mentioned in paragraph (iii) of this subsection, exceeds the amount hereinafter mentioned, a further duty shall be paid on all property situate in Ontario and any income therefrom, so passing, and with respect to the transmission mentioned in this subsection, to or for the benefit of any one of the persons mentioned in said paragraph (iii), at the rate and on the scale as follows:

Where the whole amount so passing to one person,—

(a) Exceeds \$10,000 and does not exceed \$60,000— $2\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$10,000;

(b) Exceeds \$60,000 and does not exceed \$160,000—3 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$60,000;

(c) Exceeds \$160,000 and does not exceed \$200,000— $3\frac{1}{2}$  per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$4,000 by which the whole amount so passing exceeds \$160,000;

(d) Exceeds \$200,000 and does not exceed \$300,000—4 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$200,000;

(e) Exceeds \$300,000 and does not exceed \$350,000— $4\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$300,000;

(f) Exceeds \$350,000 and does not exceed \$450,000—5 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$350,000;

(g)

- (g) Exceeds \$450,000 and does not exceed \$500,000— $5\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$450,000;
- (h) Exceeds \$500,000 and does not exceed \$600,000—6 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$500,000;
- (i) Exceeds \$600,000 and does not exceed \$700,000— $6\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$600,000;
- (j) Exceeds \$700,000 and does not exceed \$800,000—7 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$700,000;
- (k) Exceeds \$800,000 and does not exceed \$900,000— $7\frac{1}{2}$  per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$2,000 by which the whole amount so passing exceeds \$800,000;
- (l) Exceeds \$900,000 and does not exceed \$1,000,000—8 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$1,000 by which the whole amount so passing exceeds \$900,000;
- (m) Exceeds \$1,000,000 and does not exceed \$1,500,000—9 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$5,000 by which the whole amount so passing exceeds \$1,000,000;
- (n) Exceeds \$1,500,000 and does not exceed \$2,000,000—10 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$5,000 by which the whole amount so passing exceeds \$1,500,000;
- (o) Exceeds \$2,000,000 and does not exceed \$2,500,000—11 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$5,000 by which the whole amount so passing exceeds \$2,000,000;
- (p) Exceeds \$2,500,000 and does not exceed \$3,000,000—12 per centum plus  $\frac{1}{100}$  of 1 per centum for each full \$5,000 by which the whole amount so passing exceeds \$2,500,000;
- (q) Exceeds \$3,000,000—13 per centum.

Rate where  
property  
passes to  
other  
persons.

- (v) Where the aggregate value of the property exceeds \$5,000, and any property situate in Ontario or any income therefrom passes in manner hereinbefore mentioned or there is a transmission within Ontario of personal property locally situate outside of Ontario in manner hereinbefore mentioned, to or for the benefit of any person in any other degree of collateral consanguinity to the deceased than is above mentioned, or to or for the benefit of any stranger-in-blood to the deceased, such Ontario property and income and such transmission shall be subject to a duty at the rate and on the scale as follows:

Where the aggregate value,—

- (a) Exceeds \$5,000 and does not exceed \$10,000— $7\frac{1}{2}$  per centum plus 1 per centum for each full \$1,000 by which the aggregate value exceeds \$5,000;
- (b) Exceeds \$10,000 and does not exceed \$50,000— $12\frac{1}{2}$  per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$800 by which the aggregate value exceeds \$10,000;
- (c) Exceeds \$50,000 and does not exceed \$100,000—15 per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$1,000 by which the aggregate value exceeds \$50,000;
- (d) Exceeds \$100,000 and does not exceed \$200,000— $17\frac{1}{2}$  per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$100,000;
- (e) Exceeds \$200,000 and does not exceed \$300,000—20 per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$200,000;
- (f) Exceeds \$300,000 and does not exceed \$400,000— $22\frac{1}{2}$  per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$300,000;
- (g) Exceeds \$400,000 and does not exceed \$500,000—25 per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$400,000;
- (h) Exceeds \$500,000 and does not exceed \$600,000— $27\frac{1}{2}$  per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$500,000;

(i)

(i) Exceeds \$600,000 and does not exceed \$700,000—30 per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$600,000;

(j) Exceeds \$700,000 and does not exceed \$800,000—32½ per centum plus  $\frac{5}{100}$  of 1 per centum for each full \$2,000 by which the aggregate value exceeds \$700,000;

(k) Exceeds \$800,000—35 per centum. 1933, c. 61, s. 5, *part. Amended.*

(2) The dutiable value of a transmission shall be deemed to be the dutiable value of the property with respect to which there is such transmission. Dutiable value of transmission.

(3) An additional duty by way of surtax of ten per centum on all duties imposed under this Act shall be levied and added to and collected with such duties. 1933, c. 61, s. 6. Surtax.

(4) Provided that when the amount passing to any one of the persons mentioned in paragraph (v) of subsection 1 does not exceed \$1,000, no duty shall be paid on the amount so passing in the event of such person having been in the employ of the deceased for at least five years immediately prior to his death. 1933, c. 61, s. 5, *part.* Cash bequests to strangers, etc., not exceeding \$1,000 exempt in certain cases.

8.—(1) Notwithstanding anything in this Act contained where the Treasurer is satisfied that in any part of the British Dominions other than Ontario, or in any foreign country to which this section applies, any estate, legacy or succession duty is paid on property with respect to which there is a transmission within Ontario which is dutiable according to the provisions of this Act, a deduction on account of the duty paid on such property as aforesaid shall be made from the duty payable to Ontario with respect to the transmission thereof; provided that any such deduction shall be made only as to such part of the British Dominions or as to such foreign country to which the Lieutenant-Governor in Council shall have extended the provisions of this section, and such deduction shall be in accordance with such terms or understanding as the Treasurer may deem proper to make or have with such part of the British Dominions or such foreign country; provided also that the Lieutenant-Governor in Council may revoke any order-in-council made under this section. R.S.O. 1927, c. 26, s. 10 (1). *Amended.* Allowance for duty paid elsewhere on same death.

(2) In determining for the purpose of this section only whether property is locally situate in Great Britain or in the Province of Ontario, the law of England shall be followed. R.S.O. 1927, c. 26, s. 10 (2). Law of England as to local situs adopted.

(3) Notwithstanding anything in this Act contained, the duty imposed by this Act in respect of personal property (except tangible

tangible personal property having an actual *situs* in Ontario) shall not be payable (a) if the transferor at the time of his death was a resident of a Province of Canada which at the time of his death did not impose a transfer tax, death duty or succession duty of any character in respect of personal property of residents of Ontario (except tangible personal property having an actual *situs* in such Province) or (b) if the laws of the Province of residence of the transferor at the time of his death contained a reciprocal exemption provision under which non-residents were exempted from transfer taxes, succession duties or death taxes of every character in respect of personal property (except tangible personal property having an actual *situs* therein), provided the Province of residence of such non-residents allowed a similar exemption to residents of the Province of residence of such transferor, and provided further that this subsection shall apply only with respect to intangible personal property which, but for this subsection, would be chargeable with duty both in the Province of residence of the transferor and the Province where such intangible personal property is situate, and, for the purposes of this section, "intangible personal property" shall mean incorporeal property including money, deposits in banks, mortgages, debts, receivables, shares of stock, bonds, notes, credits, evidences of any interest in property and evidences of debt. 1928, c. 7, s. 2. *Amended.*

Consent to transfer and opening of safety deposit box required.

9.—(1) Unless the consent thereto, in writing, of the Treasurer is obtained, no bank, trust company, insurance company or other corporation having its head office, principal place of business, office from which payments of claims or debts are made, register of shareholders, or any place of transfer in Ontario, shall,—

Bearer securities not to be transferred by a Corporation without consent.

(a) Deliver, transfer, assign or pay, or permit any delivery, transfer, assignment or payment of any bearer bonds, bearer share warrants, bearer stock certificates, guaranteed investment certificates payable to bearer, company notes or other notes payable to bearer, receivables payable to bearer, credits or letters of credit payable to bearer or any other bearer securities whatsoever, belonging to a deceased person or in which such deceased person had any beneficial interest whatsoever, and which may be liable to duty in Ontario, or with respect to which there is a transmission within Ontario, whether such person died domiciled in Ontario or elsewhere;

Consent required for registered securities, etc.

(b) Deliver, transfer, assign or pay, or permit any delivery, transfer, assignment or payment of any bonds, shares of stock, guaranteed investment certificates, company notes or other notes, receivables,

credits

credits or letters of credit, or any other securities or property whatsoever, belonging to a deceased person and standing in his name, or in his name and that of any other person, or held in trust for him, or for him and any other person, and which may be liable to duty in Ontario, or with respect to which there is a transmission within Ontario, whether such person died domiciled in Ontario or elsewhere;

- (c) Permit the opening of any safety deposit box in Ontario or the removal thereof from Ontario when such safety deposit box contains any negotiable instruments, certificates representing indebtedness under bond or otherwise, or representing any holdings of stock, muniment of title, insurance policy, or any other property belonging to a deceased person, or permit the withdrawal from a safety deposit box in Ontario of anything mentioned in this clause.

(2) Notice in writing of the intention to open any safety deposit box as is mentioned in clause *c* of subsection 1 or to withdraw therefrom according to the meaning of the said clause *c*, shall be served on the Treasurer or his representative at least ten days, or other period to which the Treasurer may agree, before such opening or withdrawal is intended to take place, and the Treasurer or his representative may attend at the time and place of such opening or withdrawal and there give a consent in writing to the same as provided herein, and he may examine the contents thereof, or the Treasurer or his representative may give such consent without attending and examining as herein provided, but such consent shall apply only to the acts mentioned in the said clause *c*. Opening of safety deposit boxes, etc.

(3) Unless the consent in writing of the Treasurer is obtained, no person (whether or not acting in any fiduciary capacity) shall deliver, transfer, assign or pay, or permit any delivery, transfer, assignment or payment of any chattel mortgages, book debts, promissory notes, moneys, shares of stock, bonds or other securities whatsoever (whether registered or unregistered) belonging to a deceased person, or in which such deceased person had any beneficial interest whatsoever, and which may be liable to duty in Ontario, or with respect to which there is a transmission within Ontario, whether such deceased person died domiciled in Ontario or elsewhere; provided that nothing contained in this subsection shall apply to any person when acting solely in the capacity of executor. Persons (whether or not acting as Trustees) not to transfer certain assets without consent.

(4) Unless the consent in writing of the Treasurer is obtained, no person acting in the capacity of executor shall deliver, transfer, assign or pay, or permit any delivery, transfer, assignment or payment of any book debts, notes, Not to apply to executors.

receivables,

receivables, moneys, cash in bank, shares of stock, bonds, chattel mortgages or other securities whatsoever, when such property, or any of such property, was held by him in trust for a beneficiary who has died (domiciled either in Ontario or elsewhere) or in trust for the ultimate benefit of such deceased beneficiary on realization, or when such deceased beneficiary had any beneficial interest whatsoever in such property, or any of such property, and when such property, or any of such property, may be liable to duty in Ontario, or with respect to which there is a transmission within Ontario.

Payment of  
insurance  
policies.

(5) Notwithstanding anything herein contained, an insurance company may make payment not exceeding \$1,000 due under a policy or policies of insurance which may be subject to duty in Ontario (or with respect to which there is a transmission within Ontario) without first obtaining the consent in writing of the Treasurer, and, where such payment has been made, notice shall be transmitted to the Treasurer forthwith; provided that, where such payment does not exceed \$500, such notice shall not be necessary.

No consent  
required, in  
certain  
cases, for  
payment of  
portion of  
joint bank  
account.

(6) Where there is in any institution in Ontario a joint deposit account standing in the names of a deceased person and some other person and payable in whole, or in part, to the survivor, then, notwithstanding anything in this Act contained, there may be paid to the survivor or transferred to his account, one-half of the joint moneys to which such survivor is entitled or \$500 of such joint moneys (whichever is the lesser amount) without the formal consent of the Treasurer; provided that, immediately on such payment or transfer, the institution concerned shall notify the Treasurer; and provided further where there are more than one of such joint accounts in the same branch only one may be dealt with in the manner described in this subsection.

Penalties.

(7) Any bank, trust company, insurance company or other corporation, or any person mentioned in this section failing to comply with same shall incur a penalty not exceeding the amount of duty payable to the Province in respect of any property dealt with in contravention of this section, or in respect of the transmission of such property, and shall, in addition, incur a penalty of \$1,000, but such penalty shall not apply when the Treasurer is satisfied that the contravention was not wilful and occurred through ignorance of the death. 1931, c. 7, s. 8; 1932, c. 6, s. 3; 1933, c. 61, s. 7. *Redrafted.*

Liability  
of heir, etc.

**10.**—(1) Every heir, legatee, devisee or donee, and every person to whom property passes for any beneficial interest in possession or in expectancy shall be liable for the duty upon so much of the property as so passes to him and which is dutiable in Ontario according to the provisions of this Act,

and,

and, where there is a transmission within Ontario to such person owing to the death of a person domiciled therein of personal property locally situate outside Ontario within the meaning of this Act, he shall be liable for the duty on such transmission, as provided for in this Act.

(2) Each of the persons mentioned in and who benefits according to subsection 1 shall within three months after the death of the deceased, or such later time as may be allowed by the Treasurer, make and file with the Treasurer or the registrar of the surrogate court of the county or district in which the deceased had a fixed place of abode, or in which the property or any part thereof is situate, a full, true and correct statement under oath showing,—

Filing inventory, etc.

(a) a full inventory in detail of all the property of the deceased person and the fair market value thereof on the date of his death;

(b) the several persons to whom the same passes, their places of residence, and the degrees of relationship, if any, in which they stand to the deceased. R.S.O. 1927, c. 26, s. 12 (1); 1933, c. 61, s. 8. *Redrafted.*

(3) Before the issue of letters probate or letters of administration to the estate of a deceased person, a statement under oath similar to that required by subsection 2 shall be made by the executor or administrator applying therefor and filed with the surrogate registrar of the county or district in which the application is made. R.S.O. 1927, c. 26, s. 12 (3); 1931, c. 7, s. 9 (1).

Duty and liability of executors etc.

(4) Where any one of the persons mentioned in subsection 1 or 3 has made and filed the statement required by subsection 2 or 3, the Treasurer may dispense with the making of the statement by any other of them. R.S.O. 1927, c. 26, s. 12 (2).

Where one files statement, others to be relieved.

(5) The Treasurer may accept a sufficient sum as security for the due payment of any duty, and he may in such case allow to the depositor interest thereon at a rate not exceeding four per centum per annum upon so much thereof as from time to time exceeds the amount of duty which has become payable under this Act. R.S.O. 1927, c. 26, s. 12 (4); 1931, c. 7, s. 9 (2).

Accepting lump sum as security.

(6) If at any time it shall be discovered that any property was not disclosed upon the grant of letters probate or of administration, or the filing of the account, the person acting in the administration of such property, and the person who is liable for the duty payable under this Act, shall pay to the Treasurer the amount which, with the duty previously payable

Property not disclosed on application for probate etc.

or paid on the property properly disclosed (or on the transmission thereof) shall be sufficient to cover the whole of the duty chargeable at the rates fixed by this Act, together with interest thereon at the rate of six per centum per annum and shall at the same time pay to the Treasurer, as a penalty, a further sum of twenty-five per centum of the duty chargeable on the property not disclosed (or on the transmission thereof) and shall also within two months after the discovery of the omission deliver to the surrogate registrar or the Treasurer an affidavit or account setting forth the property not so disclosed, and the value thereof, in default of which they shall each incur a penalty of \$10 for each day during which the default continues. R.S.O. 1927, c. 26, s. 12 (5). *Amended.*

Penalty for failure to file inventory.

(7) For default in complying with subsection 2, the person who is liable for the duty, if any, shall incur a penalty of \$10 for each day during which the default continues. R.S.O. 1927, c. 26, s. 12 (6).

Proceedings when Treasurer not satisfied with valuation.

**11.—(1)** The surrogate judge of the county in which the property or any part thereof, subject to duty is situate shall, at the instance of the Treasurer and upon such notice by personal or substitutional service to the executor or such interested parties as he by order directs, enquire into the correctness of the inventory, and as to the value so sworn to, and determine what property should be included in such inventory and the value of the same, fix and settle the amounts of the debts and other allowances and exemptions, and assess the cash value of every annuity, term of years, life estate, income or other estate, and of every interest in expectancy as provided by this Act, and shall at the time and place mentioned in the notice or any other time and place named by him value all property at the fair market value, and hear and determine all questions relative to the liability of property, or the transmission thereof, to duty, the amount of duty, and the persons liable therefor.

Powers of judge.

(2) The surrogate judge shall have all the powers of a judge of the county court at the trial of any action and the power to compel discovery, the production of books, papers and documents and he may with the consent of the Official Guardian appoint for the purposes of this Act a guardian of any infant who has no guardian.

Enforcement of judgment.

(3) The judgment of the surrogate judge shall have the like force and effect and be enforceable in the same manner as a judgment of the county court.

Judge may direct appraisal of property by sheriff.

(4) In lieu of or in addition to evidence of valuation of property the surrogate judge may in the first instance or

at any time before judgment, and at the request of the Treasurer shall issue a direction to the sheriff of the county where any property is situate in respect to which duty is payable, or to some other competent person, to make an appraisalment of the property mentioned in the inventory or any part thereof, or of any property wrongfully omitted.

(5) When so directed the sheriff shall forthwith appraise the property mentioned in the inventory, or any part thereof, as directed by the surrogate judge, or any property wrongfully omitted, at its fair market value at the date of the death, or at the time provided in section 15, as the case may be, and make a report in writing to the surrogate judge of his appraisalment and of such other facts as he may deem proper.

Appraisalment at fair market value.

(6) In addition to his actual and necessary travelling expenses the sheriff shall be paid for services performed under this Act at the rate of \$1 for every hour in ordinary cases and at the rate of \$2 for every hour in important or difficult cases but such fees shall in no case exceed \$10 for any day upon which he may be employed. R.S.O. 1927, c. 26, s. 13 (1-6).

Sheriff's fees.

(7) In case the Treasurer is of the opinion that any person or corporation is in possession of any property of a deceased person which is or may be dutiable under this Act, or with respect to which there is a transmission within Ontario, or that any person or corporation is in possession of knowledge or information in reference to the property of any deceased person which is or may be dutiable under this Act, or with respect to which there is a transmission within Ontario, or in case the Treasurer for any other reason deems it advisable to examine any person in or about the enforcement of the provisions of this Act, the surrogate judge of the county in which the property or any part thereof is supposed to be situated, the Controller of Revenue or his representative or the solicitor under *The Succession Duty Act*, shall, at the instance of the Treasurer, order such person or any officer of such corporation to attend before him and submit to examination on oath touching the property of such deceased person, or touching any property in his knowledge, which is, or may be, dutiable under this Act, or otherwise, as may seem just, or with respect to which there is a transmission within Ontario, and may direct the persons to be examined to make production upon oath of any books, papers, or other writings or documents, relating to the matters in issue which may be in the possession of such person or of any corporation. R.S.O. 1927, c. 26, s. 13 (7); 1931, c. 7, s. 10 (1).

Examination of persons having dutiable property in possession.

(8) After the filing of the inventory as provided for in section 10, the Treasurer may mail to the executors or to their solicitors notice of appraisalment showing the total appraised value of the property disclosed by the inventory,

Appraisalment final after sixty days

and

and sixty days after the mailing of such notice, such appraised value shall become final and binding upon the executors for all purposes of this Act, unless within sixty days after the mailing thereof a notice in writing that the executors object to such appraisement or to some portion thereof shall be received by the Treasurer. 1931, c. 7, s. 10 (2).

Valuation of annuities, etc.

**12.** The value of every annuity, term of years, life estate, income or other estate, and every interest in expectancy, in respect of which duty is payable under this Act, shall for the purposes of this Act be determined by such rule, method and standards of mortality and of value and at such rate of interest as the Lieutenant-Governor in Council may deem fit. R.S.O. 1927, c. 26, s. 14.

Appeal from surrogate judge.

**13.—(1)** The Treasurer, or any other person interested, may within thirty days from the date of the judgment of the surrogate judge appeal to the Appellate Division, whose decision shall be final, but no appeal shall lie unless that portion of the property or of the debts and other allowances and exemptions in respect of which such appeal is taken, or all combined, exceeds in value or amount \$10,000 according to such judgment.

Proviso.

Costs.

**(2)** The costs of all such proceedings shall be in the discretion of the court or judge and shall be on the county court scale, except the costs of an appeal, which shall be according to the tariff applicable to proceedings in the Supreme Court. R.S.O. 1927, c. 26, s. 15.

Duty payable within six months from death of deceased.

**14.—(1)** The duty imposed by this Act, unless otherwise herein provided, shall be due at the death of the deceased and payable within six months thereafter, and, if the same, or any part thereof, is paid within that period, no interest shall be charged or collected thereon, but, if not so paid, interest at the rate of six per centum per annum from the death of the deceased shall be charged and collected upon the amount remaining from time to time unpaid, and where such duty is levied on property in Ontario the same, or so much thereof as remains unpaid, with interest thereon, shall be and remain a lien upon the property, in respect of which it is payable, until paid; provided that in the case of an annuity, or income, whether for life or otherwise, the duty, if any, unless otherwise herein provided, shall be payable in four equal consecutive annual instalments, one year, two years, three years and four years, respectively, after the death of the deceased, and for non-payment, when payable, interest at the rate of six per centum per annum from the respective dates payable until paid shall be charged and collected upon the amounts remaining from time to time unpaid, and, if the annuitant or tenant

Proviso.

of income dies before the expiration of the four-year period provided for in this subsection, the balance of the duties shall be payable by the estate or fund out of which the annuity or income is charged or derived, and such balance shall be payable in the same manner as provided for herein, had the annuitant or tenant of income lived throughout the four-year period, and the same shall be subject to the interest penalty provided for herein.

(2) If before the expiration of the term provided in subsection 1, for the payment of duty on any annuity or income, such annuity or income has ceased or has been reduced under circumstances provided for in the will or settlement directing the payment of such annuity or income, the balance of the duty where the annuity or income has wholly ceased or the duty on the portion which has ceased, shall be payable by the estate or fund on or out of which the annuity or income is charged or derived or which has benefited by its cessation or reduction, and such balance, or the duty on the portion of annuity or income which has ceased, shall be payable in the same manner as is provided for herein had there not been such cessation or reduction, and the same shall be subject to the interest penalty provided for herein; provided that this subsection shall be retroactive to and including the first day of October, 1928, and shall apply, as and when the occasion arises, to estates of persons dying on or after that date. R.S.O. 1927, c. 26, s. 16 (1), *part*; 1928, c. 7, s. 4; 1929, c. 10, s. 3; 1932, c. 6, s. 4. *Redrafted*.

Duty when annuity, etc. has ceased or has been reduced.

(3) The Lieutenant-Governor in Council, upon proof to his satisfaction that payment of duty within the time limited by this section would be unduly onerous, may extend the time for the payment to such date and upon such terms as may be deemed proper. R.S.O. 1927, c. 26, s. 16 (1), *cl. a*.

Extension of time by Order-in-Council.

(4) For payment before the time provided for in this section, the Treasurer may allow to the person accountable for the duty interest at a rate not exceeding four per centum per annum upon the amount so paid. R.S.O. 1927, c. 26, s. 16 (1), *cl. b*.

Interest allowed for prepayment.

(5) Where an estate includes securities of the province of Ontario issued under provisions which exempt them from duty, then, notwithstanding any declaration or provision made by will or otherwise by the deceased, the Treasurer may require that such securities, or a sufficient part thereof, shall be delivered to him and applied on account of the duty payable by the estate, or by any beneficiaries thereof, and such securities shall be so applied at their current market value at the date of the death of the decedent as evidenced by *bona fide* transactions or at such price paid for same by the

Treasurer may require payment to be made in succession duty free bonds.

deceased,

deceased, if purchased previous to the first day of March, 1925, whichever may be the greater, or at such other price as may be determined by a surrogate judge in manner provided by section 11. R.S.O. 1927, c. 26, s. 16 (1), cl. *c*.

Time for  
payment of  
duty where  
income  
accumulated.

(6) Where the whole or any part of the income or interest of any property is directed to be accumulated for any period for the benefit of any person or persons or class to whom or to any of whom at the expiration of such period such property passes, or income, or interest, becomes payable, such property shall be deemed for the purpose of this Act an interest in possession passing at the death of the deceased and the duty thereon, or on the transmission thereof, shall be payable within six months thereafter. R.S.O. 1927, c. 26, s. 16 (2); 1928, c. 7, s. 5; 1933, c. 61, s. 9.

Where  
person has  
general  
power of  
appoint-  
ment.

(7) The duty on property passing upon the death, in respect to which any person is given such a general power to appoint as would, if he were *sui juris*, enable him to dispose of the property as he thinks fit, whether the power is exercisable by instrument *inter vivos* or by will or both, or the duty on the transmission of such property, shall be paid in the same manner and at the same time as if the property itself had been given to the donee of the power. 1931, c. 7, s. 11.

Certificate  
of discharge  
to be given  
by Treasurer.

(8) When the duty, or any part thereof, has been paid or secured to the satisfaction of the Treasurer, he shall, if required by the person accounting for the duty, give a certificate to that effect, which shall discharge from any further claim for such duty the property mentioned in the certificate; provided the Treasurer shall not be bound to grant such certificate until the expiration of one year from the death of the deceased. R.S.O. 1927, c. 26, s. 16 (4).

Certificate  
not a  
discharge in  
case of fraud,  
etc.

(9) Such certificate shall not discharge any person or property from the duty in case of fraud or failure to disclose material facts, and shall in no wise affect the rates of duty which may be applicable under the provisions of this Act or any other Act; provided that a certificate purporting to be a discharge of the whole duty payable in respect of any property included in the certificate shall exonerate from duty such property or any part thereof in the hands of a *bona fide* purchaser for valuable consideration without notice. R.S.O. 1927, c. 26, s. 16 (5). *Amended*.

Time for  
payment of  
duty on  
interest  
in expect-  
ancy.

**15.—**(1) When the property of a deceased person includes any interest in expectancy, the duty on such interest, or on the transmission of same, may be paid within the periods provided for by section 14, and when so paid, the duty shall be on the basis of the value of such interest, ascertained as

provided

provided herein as at the death of the deceased. R.S.O. 1927, c. 26, s. 17 (1); 1928, c. 7, s. 6; 1933, c. 61, s. 10. *Amended.*

(2) With the consent in writing of the Treasurer, the duty may be paid after the time so limited and before such interest comes into possession; but if such consent is given the duty shall then be on the basis of a value not less in any event than the value of such interest in expectancy ascertained as provided herein as at the date when the duty is paid; and no deduction shall be made by reason of duty paid or payable on any prior estate, income or interest, or on the transmission thereof. R.S.O. 1927, c. 26, s. 17 (2). *Amended.*

Payment  
after time  
limited.

(3) In the case of any interest in expectancy, the duty, if not sooner paid, shall be due forthwith when such interest comes into possession, and payable within three months thereafter, in which case the duty shall be on the basis of the fair market value of such interest as at date of its falling into possession, and no deduction shall be made by reason of any duty paid or payable on any prior estate, income or interest, or on the transmission thereof, and, if such duty is not so paid, interest at the rate of six per centum per annum shall be charged and collected thereon from the date when such interest in expectancy came into possession; provided that when such interest in expectancy includes any annuity or income whatsoever, then, in the case of such annuity or income, the duty (if any) shall be paid in four equal consecutive annual instalments, payable respectively, one, two, three and four years from the date that such annuity or income commenced to be enjoyed, and the provisions in section 14 with reference to interest penalty and method of payment of duty, when annuitant or tenant of income dies, or when there is a cessation or reduction of the annuity or income, shall apply *mutatis mutandis*, to the duty on annuities or incomes, provided for in this subsection. 1931, c. 7, s. 12. *Amended.*

Payment  
when  
interest in  
expectancy  
falls into  
possession.

Proviso.

(4) Subject to the provisions of subsection 6 of section 14, when any property so passes that no person is beneficially entitled to the present enjoyment of the income or any part thereof for any term of years or other period, whether certain or uncertain, then, in the case of such income or part thereof, the duty (if any) shall be on the basis of the value of same at the death of the deceased, computed as provided by section 12 and shall be payable within one year after such death, and such duty, if not so paid, shall be subject to same interest penalty as is first provided by section 14. R.S.O. 1927, c. 26, s. 17 (4); 1928, c. 7, s. 8. *Amended.*

Where no  
person  
presently  
beneficially  
entitled.

(5) Notwithstanding anything herein contained, an executor or person who has the custody or control of the property of a deceased person, may, with the consent of the Treasurer,

Commuta-  
tion of duty.

commute the duty on any interest in expectancy before such interest falls into possession of the legatee, devisee, or other person beneficially entitled thereto, and such commutation shall be on the basis of the value of such interest at the time such consent is given ascertained as provided by section 12 and, on receipt of the duty according to the commutation, the Treasurer shall give a certificate of discharge from such duty.

Interest in expectancy to be charged with duty paid.

(6) When, in the case of any interest in expectancy, the duty has been commuted and paid under the provisions of this section before such interest in expectancy falls into possession, the duty so paid shall be charged on such interest in expectancy, and shall be repaid with interest at the rate of four per centum per annum to the person who has paid the same by the person entitled to such interest in expectancy at the time when such interest comes into possession.

Composition by Treasurer for duty payable in certain cases.

(7) Where it appears to the Treasurer that, by reason of the number of deaths on which property has passed, or of the complicated or contingent nature of the interests of different persons in property passing on the death, it is difficult to ascertain exactly the rate or amount of duty payable in respect of any property or any interest therein or on the transmission thereof, or so to ascertain the same without undue expense in proportion to the value of the property or interest, the Treasurer on the application of any person accountable for any duty thereon, or on the transmission thereof, and upon his furnishing all the information in his power respecting the value of the property and the several interests therein, and other circumstances of the case, may, by way of composition for all or any duty payable in respect of the property or interest, and the various interests therein, or any of them, or on the transmission thereof, assess such sum on the value of the property or interest, as having regard to the circumstances appears proper, and may accept payment of the sum so assessed in full discharge of all claims for duty in respect of such property or interest, or on the transmission thereof, and shall give a certificate of discharge accordingly. R.S.O. 1927, c. 26, s. 17 (5-7). *Amended.*

Extension of time for payment of duty.

**16.** Upon the application of any person liable for the payment of duty the surrogate judge, or the Controller of Revenue, may from time to time on notice to the Treasurer and for just cause shown, make upon such terms as either may deem proper, an order extending the time fixed by this Act for payment thereof for any period in the aggregate, not exceeding one year or with the consent of the Treasurer, for a longer period, but, unless the judge or Controller otherwise orders, the duty shall nevertheless bear interest at the rate of

six per centum per annum from the day upon which such duty might have been paid without interest. 1931, c. 7, s. 13.

**17.**—(1) No executor or trustee, as such, shall become personally liable for any duty whatsoever provided for by this Act, but an executor, trustee or other person in whom any interest in any property passing on the death, or the management thereof, is at any time vested, shall not transfer such property to the person beneficially entitled thereto without deducting therefrom the duty (if any) for which such person is liable and any executor, trustee or other person who transfers such property without deducting such duty therefrom shall pay to the Treasurer, as a penalty, the amount of such duty and interest thereon together with an additional fifty per centum of the amount of such duty and such combined amounts shall be recoverable against the executor, trustee or other person so chargeable.

Non-personal liability of executors.  
Not to transfer property until duty paid.

(2) Every sum of money retained by an executor or trustee or paid into his hands for the duty on any property or on the transmission thereof shall be paid by him forthwith to the Treasurer, or as he may direct. R.S.O. 1927, c. 26, s. 19 (1, 2).  
*Amended.*

Money retained by executor to be paid over to Treasurer.

(3) Such executor and trustee shall for the purpose of the collection and payment of any duty which under the provisions of this Act it is his duty to collect and pay over to the Treasurer be deemed to be an officer for the collection thereof within the meaning *The Public Revenue Act*.

Responsibility of executor and trustee to Crown.  
Rev. Stat. c. 24.

(4) Any person who may be required to pay the duty in respect of any property which has come into his possession, or is vested in him or is under his control shall, for the purpose of paying such duty or raising the amount of the duty when already paid, have power to raise the amount of such duty and any interest and expense properly paid or incurred by him in respect thereof by sale, mortgage or lease of so much of the property as may be necessary for such purpose. R.S.O. 1927, c. 26, s. 19 (3, 4).

Persons liable to duty may raise same by sale, etc.

**18.** Where any debts shall be proven against the estate of a deceased person, after the payment of legacies or distribution of property from which the duty has been deducted, or upon which it has been paid, and a refund is made by the legatee, devisee, heir or next of kin, a proportion of the duty so paid shall be repaid to him by the executor, if such duty has not been paid to the Treasurer, or by the Treasurer if it has been so paid. R.S.O. 1927, c. 26, s. 20.

Refunding duty upon subsequent payment of debts.

**19.** The judges and registrars of the several surrogate courts and solicitors practising therein shall be entitled to

Fees of judges and registrars.

take

Rev. Stat.,  
c. 94.

take for the performance of duties and services under this Act, similar fees to those payable to them for the like services under and by virtue of *The Surrogate Courts Act* and the surrogate court rules. R.S.O. 1927, c. 26, s. 21.

Recovery of  
duties by  
action.

**20.**—(1) Any duty payable under this Act shall be recoverable with full costs as a debt due to His Majesty from any person liable therefor by action in or on summary application to any court of competent jurisdiction. R.S.O. 1927, c. 26, s. 22 (1).

Matters to  
be  
determined  
by Supreme  
Court in  
action.

(2) The Supreme Court shall also have jurisdiction to determine what property, and what transmissions of property are liable to duty under this Act, the amount of such duty, and the time or times when the same is payable, and may itself, or through any referee, exercise any of the powers conferred upon any officer or person by this Act. R.S.O. 1927, c. 26, s. 22 (2). *Amended.*

Action may  
be brought  
before time  
for payment  
of duty.

(3) An action may be brought for any of the purposes in this Act mentioned, notwithstanding the time for the payment of the duty has not arrived, subject to the discretion of the court as to costs. R.S.O. 1927, c. 26, s. 22 (3).

Production  
of docu-  
ments,  
examination  
of witnesses,  
etc.

(4) In every such action His Majesty's Attorney-General shall have the same right, either before or after the trial, to require the production of documents, to examine parties or witnesses, or to take such other proceedings in aid of the action as a plaintiff has in an ordinary action.

Court may  
make order  
for attend-  
ance and  
examination.

(5) The court before which any such action is pending may on the application of the Attorney-General, make such order for the attendance and examination of any person or an officer or servant of any corporation (whether or not such person or corporation is a party to the action) for discovery or otherwise as the court may deem expedient, and may direct the person or persons to be examined, to make production upon oath of any books, papers or other writings or documents which may be in the possession or control of such person or persons or of any corporation; provided that where any such person or corporation is out of Ontario the court may make an order for such examination or for the issue of a commission or letters of request in a like manner and with the like effect as a similar order may be made for the examination of witnesses for use at the trial of an ordinary action; and provided further that this subsection shall apply to actions instituted after the first day of January, 1932. R.S.O. 1927, c. 26, s. 22 (4); 1932, c. 6, s. 5. *Amended.*

Caution.

**21.** Where duty is claimed in respect of any land, or money secured by mortgage, or charge upon land, the Treasurer may

cause

cause to be registered in the proper registry office, or in the proper office of land titles, if the land is registered under *The Land Titles Act*, a caution claiming duty in respect of such land, mortgage, or charge by reason of the death of the deceased and the land, mortgage or charge, shall upon such registration be subject to the lien of the Crown for duty, but nothing herein contained shall affect the rights of the Crown to a lien independently of the caution. R.S.O. 1927, c. 26, s. 23. Rev. Stat., c. 158.

**22.**—(1) The Treasurer may appoint a commissioner or commissioners to,— Appointment of Commissioner to inquire into estate.

- (a) ascertain and inquire into what property or transmission of property, if any, is subject to duty under the terms of this Act and to ascertain and fix the fair market value of such property, the amount of duty payable on same or on the transmission thereof and the persons liable therefor;
- (b) fix and settle the amount of the debts and other allowances and exemptions and assess the cash value of every annuity, term of lease, term of years, life estate, income or other estate and of every interest in expectancy as provided by this Act;
- (c) make inquiries as to any property transferred *inter vivos* or wrongfully omitted from any inventory filed; and
- (d) generally make inquiry as to any matter or thing arising under this Act in connection with the estate of any deceased persons. R.S.O. 1927, c. 26, s. 24 (1). *Amended.*

(2) The commissioner shall direct that notice be given by personal service or otherwise to the executor or such interested parties as he may think proper. Notice to parties.

(3) The commissioner shall have all the powers of a judge of the Supreme Court at the trial of any action and all the powers which may be conferred upon a commissioner under *The Public Inquiries Act*, and in addition thereto may, either at or previous to the hearing, make such order for the attendance and examination of any person or the officer or officers of any corporation for discovery or otherwise as he may deem expedient and may direct the persons to be examined to make production upon oath of any books, papers or other writings or documents which may be in the possession of such person or of any corporation. Powers of commissioner. Rev. Stat., c. 20. Examination for discovery.

Taking  
evidence  
*de bene esse*  
or by  
commission.

(4) Where the Treasurer or any person interested desires to produce for use before the commissioner the evidence of any person to be taken *de bene esse* or to be taken out of Ontario, an order may be made for the examination of such person or for the issue of a commission in the like circumstances and with the like effect as a similar order may be made in an action.

Evidence to  
be taken  
down.

(5) The evidence of the witnesses taken before such commissioner shall be taken down in writing and shall, at the request of either party, be transmitted by the commissioner to the Central Office at Osgoode Hall.

Appoint-  
ment of  
guardian  
for infant  
parties.

(6) A commissioner may, with the consent of the Official Guardian, appoint for the purposes of this Act, a guardian of any infant who has no guardian.

Costs.

(7) The costs of proceedings shall be paid as directed by the commissioner.

Filing  
report of  
commission.

(8) The report of the commissioner may be filed in the Central Office of the Supreme Court at Osgoode Hall, in the City of Toronto.

Report to  
become a  
judgment.

(9) Upon the report being so filed, it shall become a judgment of the Supreme Court, and may be enforced in the same manner and by the like processes as if the judgment had been made by a judge of the Supreme Court at the trial of an action.

Entry of  
judgment.

(10) The judgment shall be entered in the same manner as a judgment of the court at the trial.

Appeal to  
Appellate  
Division.

(11) Either the Treasurer or any person interested may appeal from the said judgment to the Appellate Division of the Supreme Court, but there shall be no further or other appeal.

Rules of  
procedure.

(12) Rules of Court for the better carrying out of the purposes of this Act and the regulation of practice thereunder, including the practice of any appeal, may be made by any authority to whom is committed the power of making rules of Court; but until such rules are made the practice shall be governed by the rules of the Supreme Court. R.S.O. 1927, c. 26, s. 24 (2-12).

Lieutenant-  
Governor in  
Council may  
make  
regulations.

**23.** The Lieutenant-Governor in Council may make rules and regulations for carrying into effect the provisions of this Act, and such rules and regulations shall be laid before the Assembly forthwith, if in session at the date of such rules and regulations, and if not then in session such rules

and

and regulations shall be laid before the Assembly within the first seven days of the session next after the same are made. R.S.O. 1927, c. 26, s. 25.

**24.**—(1) Where part of the property passing on the death of deceased, consists of bonds, debentures or inscribed stock issued under the provisions of any statute of the province of Ontario exempting them from duty and such bonds, debentures or inscribed stock are not specifically bequeathed by the testator or disposed of by gift by him in his lifetime, then for the purposes of this Act, such bonds, debentures or inscribed stock shall be distributed among the beneficiaries in the same proportion as the whole of the personalty is distributed among them according to the provisions of the will of such deceased person, or if such deceased person died intestate, then such bonds, debentures or inscribed stock shall be distributed in the same manner as the personal estate of an intestate is distributed, according to the law of the province, state or country wherein such deceased person was domiciled at the time of his death.

Distribution of bonds, debentures or inscribed stock exempt from duty.

(2) Unless a contrary intention appears by the will of such deceased person, then for the purposes of this Act, there shall be charged to such bonds, debentures or inscribed stock, the proper proportion of the debts allowed under section 3. 1931, c. 7, s. 14.

Charge to such bonds, etc.

**25.** Declarations or affidavits in connection with returns filed under this Act may be taken before any person having authority to administer an oath, or before any person specially authorized for that purpose by the Lieutenant-Governor in Council, but any person so specially authorized shall not charge any fee therefor. 1932, c. 6, s. 6.

Declarations and affidavits.

**26.** Subject to the provisions of section 27, *The Succession Duty Act*, being chapter 26 of the Revised Statutes of Ontario, 1927; *The Succession Duty Act*, 1928, *The Succession Duty Act*, 1929, *The Succession Duty Amendment Act*, 1931, *The Succession Duty Act*, 1932, and *The Succession Duty Act*, 1933, are repealed, and all rules and regulations made by order of His Honour the Lieutenant-Governor in Council for carrying into effect the provisions of the above Acts are revoked. *New.*

Former Succession Duty Act repealed with certain exceptions.

**27.** Save as to the rate of duty, the liability for duty of any property transferred *inter vivos*, any action or reference heretofore determined in any court or as to any estate upon which the duty has been fully paid and satisfied and subject to the provisions of subsection 2 of section 14, and to the provisions of subsection 5 of section 20, this Act shall be

Act to be retroactive with certain exceptions.

Rights of the  
Crown to be  
preserved.

deemed to be and to declare the law relating to succession duty, since the 1st day of July, 1892; and it is hereby declared that notwithstanding anything in this Act or in any Act whatsoever contained, the rights of the Crown as to all rates of duty, as to duty on property transferred *inter vivos*, as to any action or reference as aforesaid, as to any estate upon which the duty has been fully paid and satisfied, or as to any other matter or thing whatsoever which were acquired, or which accrued by virtue of any statute, or by virtue of any court decision whatsoever, shall in no wise be affected, and the provisions respecting all rates of duty and the liability for duty of any property transferred *inter vivos* which shall be applicable in any given estate, shall be those which were in force at the date of the decedent's death. R.S.O. 1927, c. 26, s. 2 and 1931, c. 7, s. 3. *Amended.*

Provisions  
re rates of  
duty and  
duty on  
gifts *inter  
vivos*

Payment  
deemed to be  
according to  
rights of  
Crown.

**28.** Any payment which shall have been made to the Treasurer before the coming into force of this Act and purporting to be in full of, on account of, or as security for duty on any property whatsoever, shall be deemed to have been made in accordance with the rights of the Crown and such rights shall be deemed to have fully accrued and to have been acquired by the Crown at the time such payment was made, and the provisions of section 27 respecting the rights of the Crown shall extend to this section.

Commence-  
ment of Act

**29.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 56.

## An Act to amend The Summary Convictions Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Summary Convictions Act*, Short title, 1934.

**2.**—(1) Subsection 1 of section 13 of *The Summary Convictions Act* is amended by striking out all the words after the word “appeal” in the sixth line and inserting in lieu thereof the words “to the county or district court of the county or district as the case may be, in which the cause of the information or complaint arose” so that the subsection shall now read as follows:

Rev. Stat.,  
c. 121, s. 13,  
subs. 1,  
amended.

(1) Unless it is otherwise provided in the Act under which a conviction takes place or an order is made by a justice for the payment of money or dismissing an information or complaint, any person who thinks himself aggrieved by any such conviction or order, or order of dismissal, the prosecutor or complainant as well as the defendant may appeal to the county or district court of the county or district as the case may be, in which the cause of the information or complaint arose.

Appeal from  
conviction or  
order.

(2) Subsection 2 of the said section 13 is repealed.

Rev. Stat.,  
c. 121, s. 13,  
subs. 2,  
repealed.

(3) Subsection 4 of the said section 13 as enacted by subsection 2 of section 3 of *The Summary Convictions Act, 1931*, is amended by striking out the words “or to the division court” in the second line so that the subsection shall now read as follows:

Rev. Stat.,  
c. 121, s. 13,  
subs. 4,  
(1931, c. 30,  
s. 3, subs. 2),  
amended.

(4) Where an appeal is taken to the judge of the county or district court the judge may award reasonable

Costs of  
appeal.

costs to either party including counsel fees and all necessary disbursements.

Commence-  
ment of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 57.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1935.

*Assented to April 3rd, 1934.*

MOST GRACIOUS SOVEREIGN:

**W**HEREAS it appears by message from The Honourable Preamble.  
Herbert Alexander Bruce, a Colonel in the Royal Army Medical Corps, F.R.C.S. (Eng.), Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province for the financial year ending the 31st day of October, 1935, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

**1.** From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Thirty-seven million six thousand eight hundred and eight dollars and fifty cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1934, to the 31st day of October, 1935, as set forth in schedule "A" to this Act. \$37,006 808.50 granted for fiscal year 1934-35.

**2.** Accounts in detail of all moneys received on account of this Province during the financial year 1934-35 and of all expenditures under schedule "A" to this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year. Accounts to be laid before Assembly.

**3.** Any part of the money under schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1935, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances Appropriations for 1934-35 unexpended to lapse.

remaining

remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Accounting  
for  
expenditure.

4. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

### SCHEDULE "A"

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty-five, to defray expenses of:

Lieutenant-Governor's Office. . . . .	\$ 7,200.00
Legislation. . . . .	309,780.00
Prime Minister's Department. . . . .	2,654,197.00
Attorney-General's Department. . . . .	2,376,638.00
Insurance Department. . . . .	67,345.00
Education Department. . . . .	9,650,759.00
Lands and Forests Department. . . . .	1,505,000.00
Northern Development Depart- ment. . . . .	471,025.00
Mines Department. . . . .	293,875.00
Game and Fisheries Department. . . . .	585,100.00
Public Works Department. . . . .	870,469.00
Highways Department. . . . .	636,180.00
Health Department. . . . .	7,218,746.00
Labour Department. . . . .	406,021.50
Public Welfare Department. . . . .	5,227,261.00
Provincial Treasurer's Depart- ment. . . . .	583,120.00
Provincial Auditor's Office. . . . .	104,950.00
Provincial Secretary's Depart- ment. . . . .	1,762,380.00
Agriculture Department. . . . .	2,076,762.00
Miscellaneous. . . . .	200,000.00

Total estimates for expenditure of 1934- 1935. . . . .	\$37,006,808.50
Additional vote, fiscal year 1934, Matthew Currey, honorarium. . . . .	1,000.00

## CHAPTER 58.

An Act to amend The Temiskaming and Northern  
Ontario Railway Act.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** This Act may be cited as *The Temiskaming and Northern Ontario Railway Act, 1934.* Short title.

**2.** Section 18 of *The Temiskaming and Northern Ontario Railway Act* is amended by adding thereto the following subsections: Rev. Stat.,  
c. 53, s. 18,  
amended.

(5) The provisions of sections 285 and 287 and of sections 291 to 295 inclusive, of *The Railway Act*, shall in respect of the Commission and its railway and the works thereof, apply thereto and to persons charged with offences or subject to the penalties therein mentioned in the same manner and to the same extent, *mutatis mutandis*, as if such sections had been enacted in this Act and formed part thereof. Application  
of  
Rev. Stat.,  
c. 224,  
ss. 285, 287,  
291-295.

(6) The Commission may appoint constables, and for the purposes mentioned in *The Railway Act* every person appointed by the Commission as a constable, and every conductor of a train of the Commission carrying passengers shall have in respect of his duties, all the powers and rights conferred upon railway constables and conductors of passenger trains, respectively, by *The Railway Act* or by any other general Act affecting such officials for the time being in force, and the provisions of *The Public Authorities Protection Act* respecting constables shall, *mutatis mutandis*, apply to any such constable and conductor. Powers of  
constables  
and  
conductors.  
  
Rev. Stat.,  
cc. 224, 120.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 59.

## An Act to amend The Tile Drainage Act, 1929.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      **1.** This Act may be cited as *The Tile Drainage Act, 1934.*

1929, c. 25, amended.      **2.** *The Tile Drainage Act, 1929*, is amended by adding thereto the following section:

Approval by Treasurer necessary before application granted.      **9a.** Notwithstanding any of the provisions of this Act, no application shall be granted by a council until the Treasurer of Ontario has approved the purchase of such debentures as the council may require to issue to undertake a proposed drainage work.

Commencement of Act.      **3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 60.

## An Act to amend The Trustee Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Trustee Act, 1934*.

Short title.

2. Section 3 of *The Trustee Act* is amended by inserting after the word "persons" in the twelfth line the words and brackets "(whether or not being the persons exercising the power)" so that the said section shall now read as follows:

Rev. Stat.,  
c. 150, s. 3.  
amended.

3. Where a trustee dies or remains out of Ontario for more than twelve months, or desires to be discharged from all or any of the trusts or powers reposed in or conferred on him, or refuses or is unfit to act therein, or is incapable of acting therein, or has been convicted of an indictable offence or is bankrupt or insolvent, the person nominated for the purpose of appointing new trustees by the instrument, if any, creating the trust, or if there is no such person, or no such person able and willing to act, the surviving or continuing trustees or trustee for the time being, or the personal representatives of the last surviving or continuing trustee, may by writing appoint another person or other persons (whether or not being the persons exercising the power) to be a trustee or trustees in the place of the trustee dying, remaining out of Ontario, desiring to be discharged, refusing or being unfit or incapable.

Power of  
appointing  
new trustees.  
Imp. Act,  
15-16 Geo. V,  
c. 19, s. 36,  
subs. 1.

3. Subsection 1 of section 26 of *The Trustee Act* as re-enacted by section 17 of *The Statute Law Amendment Act, 1933*, is amended by inserting after the word "Canada" in the twenty-first line the words "or in the bonds or debentures issued by any incorporated company in respect of which bonds or debentures annual or semi-annual subsidy payments sufficient to pay both principal and interest thereof are, by virtue of any general Act of the Dominion of Canada, payable

Rev. Stat.,  
c. 150, s. 26,  
subs. 1  
(1933,  
c. 59, s. 17),  
amended.

by

by the Government of the Dominion of Canada to a trust company as trustee for the holders of such bonds or debentures" and by inserting after the word "public" in the ninth line the words "separate, high or vocational" so that the subsection shall now read as follows:

Power to  
invest trust  
moneys in  
certain  
securities.

- (1) A trustee having money in his hands which it is his duty, or which it is in his discretion to invest at interest, may invest the same in the debentures, bonds, stock or other securities of, or guaranteed by the Government of the Dominion of Canada, or of or guaranteed by any Province of Canada, or of the Government of the United Kingdom, or of any municipal corporation in Canada, including debentures issued for public, separate, high or vocational school purposes or guaranteed by any municipal corporation in Ontario, or secured by or payable out of rates or taxes levied under the law of any Province of Canada on property situated in such Province and collectible by or through the municipality in which such property is situated, in the same manner and with the same rights of enforcing payment, as in the case of general municipal taxes in such municipality, or in securities which are first hypothecs upon real estate in the Province of Quebec or first charges upon real estate held in fee simple in any other Province of the Dominion of Canada, or in the bonds or debentures issued by any incorporated company, in respect of which bonds or debentures annual or semi-annual subsidy payments sufficient to pay both principal and interest thereof are, by virtue of any general Act of the Dominion of Canada, payable by the Government of the Dominion of Canada to a trust company as trustee for the holders of such bonds or debentures, provided such investments are in other respects reasonable and proper, or he may entrust the same to a trust company incorporated or registered under the laws of Ontario for guaranteed investment as set out in *The Loan and Trust Corporations Act*, provided that it has been approved by the Lieutenant-Governor in Council.

Rev. Stat.,  
c. 223.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 61.

An Act to amend The Unemployment Relief Act,  
1933.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Unemployment Relief Act*, Short title.  
1934.

**2.**—(1) Section 9 of *The Unemployment Relief Act, 1933*, 1933,  
is amended by inserting at the commencement thereof the c. 65, s. 9,  
words “for the purpose of unemployment relief.” amended.

(2) The said section 9 is amended by adding thereto the 1933,  
following subsections: c. 65, s. 9,  
amended.

(2) The work which a municipality may undertake for Work  
unemployment relief may include or be a work beyond  
undertaken beyond the limits of the municipality. municipal  
limits.

(3) A municipality which has incurred expenditure in Recovery  
providing direct relief under and in accordance with in case of  
the provisions of the Order-in-Council relating to removals.  
unemployment relief dated the 19th day of September,  
1932, as amended by subsequent Orders-in-Council,  
may with respect to any expenditure incurred by it  
in providing direct relief for any person who has  
removed to such municipality and within the period  
of three months next after such removal, recover the  
amount so expended by it, less any sums on account  
thereof which it may have received from any source,  
from that municipality in Ontario from which such  
person last removed, provided he resided in such last-  
mentioned municipality during the three months  
immediately preceding his removal; and the same  
may be recovered as a debt in any court of competent  
jurisdiction.

Alteration  
of residency  
period.

- (4) The period mentioned in subsection 3 shall as to future expenditures be extended or reduced correspondingly as from time to time such periods are extended or reduced by any Order-in-Council hereafter made amending the said Order-in-Council dated the 19th day of September, 1932.

Recovery  
of moneys  
expended  
by the  
Province  
through  
failure of  
municipality  
to provide  
same.

- (5) Any moneys expended by the Government of the Province of Ontario in providing employment or direct relief in any municipality by reason of the neglect or failure of the corporation of such municipality to provide such money as authorized by this Act and any Order-in-Council made thereunder, to the extent of that portion of the expenditures so made by the Government which would or could have been borne and paid by the municipality in accordance with this Act or any such Order-in-Council shall be recoverable from such municipality as a debt due to the Crown in right of Ontario, and may be sued for on behalf of the Province in any court of competent jurisdiction or may be deducted out of any moneys then or thereafter payable by the Province to such municipality under the authority of any Act.

Commence-  
ment of Act.

- 3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 62.

## An Act to amend The Venereal Diseases Prevention Act.

*Assented to April 3rd, 1934*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Venereal Diseases Prevention Act, 1934.* Short title.

**2.** Subsection 5 of section 3 of *The Venereal Diseases Prevention Act* is amended by striking out the word "Board" in the fifth line and inserting in lieu thereof the words "Department of Health," and by striking out the words "chairman and secretary of the Board" in the sixth and seventh lines and inserting in lieu thereof the words "Minister of Health," so that the said subsection shall now read as follows:

Rev. Stat.,  
c. 264, s. 3,  
subs. 5,  
amended.

(5) No action or other proceeding shall be brought against any legally qualified medical practitioner in respect of any examination, report or certificate made or given by him under the provisions of this Act, unless and until the consent in writing of the Department of Health to such action or other proceeding has been given, signed by the Minister of Health.

Report or  
certificate  
not ground  
for action.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 63.

## An Act to amend The Voters' Lists Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.      1. This Act may be cited as *The Voters' Lists Act, 1934*.

Rev. Stat., c. 7, Heading to Part IIIA as enacted by section 6 of *The Voters' Lists Act, 1933*, is (1933, c. 67, s. 6), re-enacted.      2.—(1) The heading to Part IIIA of *The Voters' Lists Act* as enacted by section 6 of *The Voters' Lists Act, 1933*, is repealed and the following substituted therefor:

## PART IIIA.

PREPARATION AND REVISION OF VOTERS' LISTS FOR  
PROVINCIAL ELECTIONS IN CITIES AND SEPARATED  
TOWNS (POPULATION, 10,000 AND OVER) AND IN  
TOWNSHIPS BORDERING ON LARGE CITIES.

Rev. Stat., c. 7, ss. 68a-68e (1933, c. 67, s. 6), re-enacted.      (2) Sections 68a, 68b, 68c, 68d and 68e of *The Voters' Lists Act* as enacted by section 6 of *The Voters' Lists Act, 1933*, are repealed and the following substituted therefor:

Polling subdivisions to be grouped into districts for registration of voters and revision subject to approval of Board.

68a. In cities and separated towns having a population of 10,000 or more, and in townships bordering on a city having a population of 100,000 or more, the returning officer as soon as convenient after receiving a writ directed to him for the holding of an election, shall group together the polling subdivisions in such cities, towns and townships in the electoral district into as many combined registration and revising districts as circumstances require, subject to the approval of the election board, and shall prepare descriptions of the boundaries of such districts.

Returning officer to appoint enumerators.

68b. The returning officer shall forthwith after receipt of the writ of election, appoint in writing for each polling subdivision in the electoral district, Form 22, one or more persons to be enumerators of the voters in each polling subdivision, to compile a list of voters as

hereinafter

hereinafter provided, and shall require each of such persons before acting, to take the oath (Form 23).

- 68c. The enumerators when appointed, shall forthwith after taking their oaths, prepare, by a house to house canvass, a complete list, according to Form 24, under headings of names of streets where possible and in alphabetical order with the street address and occupation of all persons in the respective polling subdivision in the electoral district for which they have been appointed, who are qualified to vote at the election, and the enumerators in preparing the list shall have reference to and make use of Parts I and III of the last revised voters' list for the municipality.
- 68d. The enumerators immediately after the completion of the lists and not later than four days from the date of their appointment, shall certify each polling subdivision list on oath, Form 25, and deliver the same to the returning officer, and shall prepare at least six copies of such lists duly certified as aforesaid, and shall forthwith post up one copy of each polling subdivision list in the office of the returning officer, and in a conspicuous place in the polling subdivision for which the list was prepared, and in the office of the clerk of the municipality, for public inspection, and shall distribute one copy to each of the representatives of the candidates.
- 68e. Within four days after the posting up of the polling subdivision lists by the enumerators as provided in section 68d, any person whose name has been entered on any of the said polling subdivision lists in the electoral district, may file with the proper clerk of the revising officer appointed for the polling subdivision, a complaint that there has been included in the polling subdivision list as compiled by the enumerators, the name or names of persons who should not be entered therein. Such complaint shall be prepared according to Form 26 and shall set out the reasons for complaining and shall be accompanied by an affidavit of the complainant, Form 27, and the same shall be filed with such clerk of the proper revising officer not later than the first day appointed for the sittings of the revising officer.

Enumerators to prepare lists by house to house canvassing.

Enumerators to certify list and deliver to returning officer.

Certified copies to be posted with returning officer, in a conspicuous place in polling subdivision and with clerk of municipality.

Copies to be delivered to representatives of candidates.

Procedure where complaint made for wrongful entry on list.

3. Sections 68h, 68q, 68x, 68y, 68gg, 68hh, 68ii, 68jj, 68kk and 68oo of *The Voters' Lists Act* as enacted by section 6 of *The Voters' Lists Act, 1933*, are amended by striking out the words "polling division" wherever they occur in the said sections and the marginal notes thereto, and inserting in lieu thereof the words "polling subdivision."

Rev. Stat., c. 7, ss. 68h, 68q, 68x, 68y, 68gg, 68hh, 68ii, 68jj, 68kk, 68oo, (1933, c. 67, s. 6). amended.

Rev. Stat.,  
c. 7, s. 68ee,  
(1933,  
c. 67, s. 6),  
amended.

4. Section 68ee of *The Voters' Lists Act* as enacted by section 6 of *The Voters' Lists Act, 1933*, is amended by striking out the word "registrar's" in the second line and inserting in lieu thereof the word "enumerator's" so that the said section shall now read as follows:

Name not to  
be struck off  
without  
notice.

68ee. The name of any person shall not be removed from the enumerators' list by the revising officer unless he is satisfied on oath that due notice of complaint has been given to such person, or evidence that such person could not be found and the registered notice could not be delivered.

Rev. Stat.,  
c. 7, s. 68ff  
(1933,  
c. 67, s. 6),  
amended.

5. Section 68ff of *The Voters' Lists Act* as enacted by section 6 of *The Voters' Lists Act, 1933*, is amended by striking out the word "registrar's" in the second line and inserting in lieu thereof the word "enumerator's" so that the said section shall now read as follows:

Evidence  
required.

68ff. The revising officer shall not remove any name from the enumerator's list or make any other changes therein except upon evidence under oath.

Rev. Stat.,  
c. 7, s. 68nn  
(1933, c. 67,  
s. 6),  
amended.

6. Section 68nn of *The Voters' Lists Act* as enacted by section 6 of *The Voters' Lists Act, 1933*, is amended by striking out the words "having a population of 15,000 or more" in the fifth and sixth lines and inserting in lieu thereof the words "bordering on a city having a population of 100,000 or more," so that the said section shall now read as follows:

Application  
of Part.

Rev. Stat.,  
c. 8.

68nn. Notwithstanding anything contained in this Act, or *The Election Act*, the provisions of this Part shall extend and apply to the preparation and revision of voters' lists in all cities and separated towns having a population of 10,000 or more and in all townships bordering on a city having a population of 100,000 or more.

Rev. Stat.,  
c. 7, s. 73,  
amended.

7. Section 73 of *The Voters' Lists Act* is amended by adding thereto the following clause:

Chief enu-  
merator,—  
power to  
administer  
oath to  
assistant  
enumerators.

(a) The chief enumerator shall have power to administer the oath of office to any assistant enumerator.

1933,  
c. 67, s. 10,  
amended.

8. Section 10 of *The Voters' Lists Act, 1933*, is amended by adding thereto the following clause:

Board,  
subject to  
approval of  
Chief  
Election  
Officer, to  
deal with  
matters  
under  
Part IV, and  
Part IIIA,  
where  
applicable to  
Part IV, in  
emergencies.

(a) If for any reason any of the provisions of Part IV, or of Part IIIA which are applicable to Part IV, cannot be complied with, then in all such cases the Board shall deal with the same, subject to the approval of the Chief Election Officer.

9. Forms 22 to 29 of *The Voters' Lists Act* as enacted by section 15 of *The Voters' Lists Act, 1933*, and set out in schedule "A" to the said Act, are repealed and the following substituted therefor:

Rev. Stat.,  
c. 7,  
Sched. "A,"  
Forms 22-29  
1933,  
c. 67, s. 15),  
re-enacted.

## FORM 22

(Section 68b)

## APPOINTMENT OF ENUMERATOR

To (*insert name of enumerator*).  
Whose address is (*insert address*).  
and whose occupation is (*insert occupation*).

Know you that in pursuance of the authority given by Section 68b of *The Voters' Lists Act, I*, the undersigned, in my capacity as Returning Officer for the Electoral District of..... do hereby appoint you to be one of the Enumerators for Polling Subdivision No..... of the said Electoral District, to act as such enumerator in accordance with the provisions of Part IIIA of *The Voters' Lists Act* and to perform and have all the duties and powers imposed upon or exercisable by an enumerator under the said Act.

Given under my hand this.....day of.....

.....  
Returning Officer.

## FORM 23

(Section 68b)

## OATH OF ENUMERATOR

I, the undersigned (*insert name of enumerator*) appointed one of the enumerators for Polling Subdivision No..... of the Electoral District of..... do solemnly swear (*or affirm*) that I will act faithfully in my said capacity of enumerator, without partiality, fear, favour or affection, and in every respect according to law. So help me God.

.....  
Enumerator.

## FORM 24

(Section 68c)

## POLLING SUBDIVISION BOOK

Electoral District.....

Polling Subdivision No.....

Name of Street.....

No.	Name (family or surname first)	Occupation or addition	Residence Street and No.	Remarks
-----	--------------------------------------	------------------------------	--------------------------------	---------

Names to follow in alphabetical order.

FORM

FORM 25

(Section 68d)

ENUMERATOR'S CERTIFICATE OF POLLING SUBDIVISION BOOK

Electoral District.....

Polling Subdivision No.....

I (*insert name of enumerator*) of the.....of.....  
duly appointed an enumerator for Polling Subdivision No.....for  
the Electoral District of.....  
make oath and say:

This Polling Subdivision Book for Polling Subdivision No....., of the  
Electoral District of....., contains a true  
and correct list of the names, addresses and occupations of persons  
appearing as qualified to vote for the pending Provincial election, as  
compiled by me under the provisions of Part IIIA of *The Voters' Lists  
Act*.

Sworn before me  
at the City of.....  
in the County or District of.....  
this.....day of.....  
*Signature of enumerator.*

.....  
*A Commissioner for taking affidavits.*

FORM 26

(Section 68e)

LIST OF COMPLAINTS OF PERSONS WRONGFULLY REGISTERED

Registrations Complained Against

Electoral District.....

Polling Subdivision No.....

Name ( <i>family or surname first</i> )	Occupation or addition	Residence Street and No.	Reasons for Complaint
--	------------------------------	--------------------------------	-----------------------------

*And on the last page insert,*

Dated the.....day of....., 19....

.....  
*Signature of Complainant.*

FORM 27

(Section 68e)

AFFIDAVIT AS TO DISQUALIFICATION OF PERSONS REGISTERED

Electoral District.....

Polling Subdivision No.....

I (*insert name of complainant*), of the .... of.....  
make oath and say:

1. I have been entered as a voter by one of the enumerators in Polling Subdivision No.....for the Electoral District ....., and my name appears on the list of voters prepared by the said enumerator as entitled to vote at the pending election.

2. That there have been included in the list of voters prepared by the enumerator for Polling Subdivision No.....in the Electoral District of....., the persons whose names are set out in the attached list of complaints.

3. That I have good reason to believe and do verily believe that the said names should not appear upon the said list of voters for Polling Subdivision No..... in this Electoral District upon grounds which I will produce before the Revising Officer.

Sworn before me at the

.... of .....

in the County or District of .....

this.....day of .....

.....  
Signature of Complainant.

.....  
A Commissioner for taking affidavits.

FORM 28

(Section 68f)

NOTICE TO VOTER OBJECTED TO

Electoral District.....

Polling Subdivision No.....

To (set out name, address and occupation of voter as in list compiled by the enumerator).

Take notice that a complaint has been filed with me this day alleging that your name entered upon the list of voters by the enumerator of Polling Subdivision No..... in the Electoral District of..... has been wrongly entered thereon, for the following reason (set out grounds of complaint).

If you desire to appear before the Revising Officer to substantiate your right to have your name remain on such list of voters, you must appear before the Revising Officer appointed to revise the list at his sitting held at (insert the date and hour and place of one of the days appointed for the sittings).

If you or your representative do not appear before the Revising Officer and establish before him your right to have your name remain on the said list and answer such complaint, the Revising Officer will proceed to hear under oath the evidence as to the complaint, and if satisfied that your name should not remain on such list, he shall strike the same therefrom.

This notice is given pursuant to section 68f of *The Voters' Lists Act*.

Dated at....., this.....day of....., 19...

.....  
Clerk to Revising Officer.

## FORM 29

(Section 68r)

## APPLICATION FOR REGISTRATION

Electoral District of .....

This application relates to

Surname.....  
 First name.....  
 Occupation.....  
 Address and residence.....

*Statement of Facts*

1. The above-named was resident in this Electoral District at (*set out his address*) at the date of the issue of the writ of election.
2. The said person is a British subject of the full age of twenty-one years.
3. The said person has been resident in Canada during the last twelve months next preceding the day of polling.
4. The said person is not disqualified as a voter for any reason.
5. The said person is accordingly entitled to vote at the pending election of a member to serve in the Legislative Assembly, for this Electoral District, and is entitled to be entered on the Voters' List as a qualified voter.

*Declaration and Request of Applicant in Person*

I declare that the above statement of facts is correct, and request that my name be entered in the list of voters for Polling Subdivision No. .... in this Electoral District.

Dated this.....day of....., 19...

.....  
*Signature of Applicant.*

*Alternative Declaration and Request of Relative or Employer*

I declare that I am the (*insert "relative" or "employer"*) of the person above described, that I believe the above statement of facts to be correct, and that the person above described is unable to attend in person for the purpose of making this application by reason of sickness or disability, or by reason of necessary, temporary, unavoidable and *bona fide* absence from the municipality.

I request that the name of the person above described be entered in the list of voters for Polling Subdivision No. .... in this Electoral District.

Dated this.....day of....., 19...

.....  
*Signature of Employer or Relative.*

Commence-  
ment of Act.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 64.

## An Act to amend The Weed Control Act.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Weed Control Act, 1934.* Short title

2. *The Weed Control Act* is amended by adding thereto the following sections: Rev. Stat., c. 309, amended.

2a.—(1) The council of any county may, with the consent of the Minister pass by-laws declaring plants other than those mentioned in the regulations shall for the purposes of this Act be deemed noxious weeds within the county. County by-laws naming noxious weeds.

(2) Any by-law passed under the authority of subsection 1 shall be published in the *Ontario Gazette* and when so published shall have the same force and effect within the county as if the same had been contained in the regulations. Publication of by-law.

8a.—(1) For the purposes of this Act a local municipality situate in a district shall be deemed to include any area adjacent thereto and within one mile thereof which forms part of territory without municipal organization, and the provisions of this Act shall apply in such area as if the same formed part of the local municipality in which it is hereby included. Weed control in areas adjacent to municipalities in the districts.

(2) The provisions of subsection 1 shall not have effect with respect to an area mentioned therein until a by-law has been passed by the council of the local municipality in which such area may be included and such by-law has been approved by the Minister who may at any time thereafter direct that such by-law be repealed; and from and after the time such direction is given by the Minister the provisions of subsection 1 shall no longer affect such area. Application of control by by-law approved by the Minister

Not to apply  
in areas  
which are  
part of  
another  
municipi-  
pality.

Collection  
of cost of  
weed  
cutting.

(3) The provisions of subsection 1 shall not apply or continue to apply to any area which is or becomes part of a local municipality.

(4) Any expense incurred by an inspector in carrying out the provisions of this Act in an area which is included in a local municipality under this section shall, when allowed by the council, be collectible in the same manner as taxes and may be specially entered upon the tax roll of the municipality against the land described in the statement of the inspector, but no such entry shall affect the Crown and its interest in any such land.

Commence-  
ment of Act

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 65.

An Act respecting the Windsor-Walkerville  
Vocational School.*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Windsor-Walkerville Vocational School Act, 1934.* Short title.

**2.** The municipalities of the city of Windsor and the town of Walkerville and such other neighbouring municipalities as may hereafter be admitted are hereby declared to constitute a vocational school district for the purpose of erecting, continuing and maintaining a vocational school for the district, authorized under *The Vocational Education Act, 1930*, and amendments thereto. Vocational school district constituted.

**3.** There shall be a joint board of vocational school trustees for the city of Windsor and the town of Walkerville, hereinafter called the "Board," to be composed as follows: Joint board of trustees.

(1) Two members to be appointed by each of the board of education and the separate school board of the city of Windsor, and two members to be appointed by each of the board of education and the separate school board of the town of Walkerville, each of the said members to be a member of the respective appointing boards; the members shall be appointed at the organization meeting of the said boards after the annual municipal elections, and one of each of the members appointed by any board at the time of the first appointment hereunder shall, as may be determined by the drawing of lots, hold office for one year and the other for two years, but after the first appointment each member shall be appointed for two years, provided, however, that this section shall not necessarily apply to members representing added municipalities. Membership.

(2) At the first meeting in each year of the members of the Board selected under subsection 1 of this section the Additional members.

said

said members shall select two additional members, one of whom is an employer of labour, or a director of a company employing labour in one of the manufacturing, agricultural, commercial or other industries carried on in the county of Essex, and one of whom is engaged as an employee in one of the manufacturing, agricultural, commercial or other industries carried on in the county of Essex, provided, however, that in 1935 there shall be two appointed from among the said employers, one of whom shall hold office for one year and the other for two years, and two from among the said employees who shall hold office in the same manner, and after the first appointment each member so appointed shall hold office for two years. The members so appointed shall be British subjects, and of the full age of twenty-one years.

Board.

(3) The present members of the Board holding office for the year 1934, under the provisions of *The Windsor and Walkerville Industrial and Technical School Act*, shall continue to hold office and with all the powers of the Board constituted under this Act, but only for the balance of the year 1934, and until the new Board is organized under the provisions of this section.

Incorporation.

4.—(1) The Board so created shall have the powers of the boards of education and the public and separate school boards for the said vocational school district for the purposes of *The Vocational Education Act, 1930*, and amendments thereto, and shall be a corporation by the name of "The Windsor-Walkerville Vocational School Board."

Provisions of 1930, c. 64, to be read with this Act.

(2) The provisions of *The Vocational Education Act, 1930*, and amendments thereto, shall, insofar as the same are not inconsistent with the provisions hereof, be deemed to constitute a part of this Act.

Power of council to borrow money on debentures.

5.—(1) The council of any municipality included within the said district, on the application of the Board, may pass by-laws for borrowing money by the issue and sale of debentures for the purchase of a site and the erection of a school and for the extensions, equipment, improvements, or furnishings, and it shall not be necessary that the by-laws shall be submitted to the electors for their assent, but if the council of any of the municipalities refuses to pass any such by-law it shall, if requested by the Board, submit the same to a vote of the electors qualified to vote on money by-laws under *The Municipal Act*, and on the assent of such electors being obtained shall finally pass the by-law and issue such debentures if the other municipalities are likewise providing their share.

Assent of electors.

Rev. Stat., c. 233.

(2) The debentures may be for such amount and run such number of years, not exceeding thirty, as the council may see fit. Amount and term of debentures.

(3) The amounts to be raised respectively by the council of each municipality in the said district for the said purposes shall be the proportion borne by the population of such municipality to the total population of the municipalities then in the district which shall be determined by the certificates of the last enumerations by the respective assessors for each. Apportionment between municipalities.

6. The municipal councils comprising the vocational school district shall contribute to the maintenance of the said school in the same proportion as is provided in subsection 3 of section 5 hereof, for the purposes enumerated in subsection 1 thereof, and each council forming part of the said district upon the request of the Board shall levy and collect in each year within its municipality in the same manner as other municipal taxes, the amounts determined by the Board as necessary for the said purpose. Contribution for maintenance, etc.

7. The Board may, subject to the approval of the Minister of Education, by by-law provide for the admission to the district of any neighbouring municipality and such by-law shall set out the financial terms upon which admission is to take place and shall provide for representation upon the Board, and from and after such admission the said Board shall have the same powers in the added municipality as are by this Act given to it within the city of Windsor and town of Walkerville. Admission of neighbouring municipalities.

8.—(1) The admission of a neighbouring municipality shall not take place until the electors of that municipality qualified to vote on money by-laws have signified their approval of such admission, and until the council of such municipality has passed a by-law to raise the sum necessary to obtain admission, which the said council is hereby authorized to do without a further vote of the electors. Approval by electors before admission.

(2) The money so to be raised by an added municipality shall be paid over to the Board and shall be applied for the purposes of extension, improvements, furnishings, equipment or repairs or in the discretion of the Board in reduction of the debentures already issued in respect of said school. Payment of money to board.

9. *The Windsor and Walkerville Industrial and Technical School Act* is repealed, and it is declared that all things done Repeal of 1921, c. 129.

or purporting to have been done under the provisions of the said Act are valid and binding to the same extent as if the same had been done under the authority of this Act, and without limiting the generality of the foregoing, it shall be deemed that all pupils from municipalities not comprising the vocational school district created hereunder, shall have been admitted under the provisions of *The Vocational Education Act, 1930*, and amendments thereto, and of *The High Schools Act* and amendments thereto, and the municipalities liable for the tuition of the same under the provisions thereof, shall be liable to the Board as if the provisions of this Act had been in force at the time of such admission.

1930, c. 64:  
Rev. Stat.  
c. 326.

Commence-  
ment of Act.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 66.

## An Act respecting Woodmen's Employment Investigation.

*Assented to April 3rd, 1934.*

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Woodmen's Employment Act, 1934.* Short title.

2. In this Act,—

Interpreta-  
tion.

(a) "Department" shall mean the Department of Lands and Forests; "Depart-  
ment."

(b) "Minister" shall mean the Minister of Lands and Forests; "Minister."

(c) "Crown timber" shall mean trees standing, growing, or being on ungranted public lands or on other lands where the timber thereon or any portion thereof is the property of the Crown; "Crown  
timber."

(d) "Operator" shall mean any person holding a license, permit, contract, agreement or other instrument granted or made by the Crown under which exists the right to cut and remove Crown timber; "Operator."

(e) "Employees" shall mean and include persons in the employ of an operator or in the employ of any person carrying on work under a contract, sub-contract or other arrangement or agreement authorized by or relating back to the license, permit, contract, agreement or other instrument granted or made by the Crown under which the operator enjoys the right to cut and remove Crown timber. "Em-  
ployees."

3.—(1) The Lieutenant-Governor in Council, upon the advice and recommendation of the Minister, may appoint an "Inspector" under the Act. Appoint-  
ment of  
Inspector.

Who may be appointed.

(2) Such office may be assigned to some person performing other duties in the Department unless and until the duties are so onerous as to require a separate appointment.

Assistant Inspectors.

(3) The Minister or Deputy Minister of the Department may appoint any Crown Timber Agent or other officer of the public service of the Province of Ontario to be an assistant inspector, and such assistant inspector shall have the same duties and powers as the inspector and shall act for such period of time as may be authorized by the Minister or Deputy Minister.

Duties of Inspector—investigations.

4. It shall be the duty of the inspector to investigate from time to time as may be directed by the Minister or Deputy Minister of the Department, the undertaking or operations of any operator or of any person carrying on work under a contract or sub-contract or other arrangement or agreement authorized by or relating back to the license, permit, contract, agreement or other instrument granted or made by the Crown under which the operator enjoys the right to cut and remove Crown timber, and such investigation shall be made with reference to,—

Wages and hours of labour.

(a) The computation of the wages or earnings of employees, the hours and times of working, and the method of paying such wages or earnings;

Food supplies.

(b) The sufficiency and wholesomeness of food supplied to employees whether such food is supplied as part of the wages or earnings of such employees or is paid for in cash by such employees, or is deducted from the wages or earnings of such employees;

Charges for supplies.

(c) The prices charged for meals, living accommodation, clothing, boots, supplies, tools, tobacco and any other article sold to, provided for or offered for sale to employees;

Deductions for services.

(d) The amount charged against, or deducted from the wages or earnings of employees for medical, dental, transportation or other services or facilities of any nature whatsoever;

Assessments.

(e) The assessments, levies, fines, penalties or other deductions charged against the wages or earnings of any employee;

Camp quarters.

(f) The rooms, tents, cabins, houses, camps, or other places of accommodation provided for the living or working places of employees and the sanitary conditions thereof, or of any storehouse, kitchen, dining-

room or other places used for the preparation, storing and serving of food;

- (g) The details of any contract, sub-contract, arrangement whether written or otherwise, the carrying out of which involves in any manner the employment of any person; Contracts.
- (h) The conditions under which employees labour, the hazards to which employees are subjected in the course of work, and the methods employed in carrying out timbering and lumbering operations; Labour conditions.
- (i) Such other matters respecting woodmen's employment as may be directed by the Minister or Deputy Minister of the Department. Other matters.

5. Every operator shall be and remain responsible to the Crown for all things done or required to be done in the course of carrying out the timbering or other operations authorized under the license, permit, contract, agreement or other instrument held by such operator, notwithstanding that such operator by contract, agreement, permit or other instrument, or in any other manner, has authorized or permitted work to be undertaken or performed, or services to be supplied by contractors, sub-contractors, permittees, jobbers or by any other person whatsoever. Responsibility of operators.

6. The inspector shall transmit to the Minister a report as soon as practicable after each investigation by him made and the Minister upon receipt of such report may make such recommendations to the operator or operators referred to therein or to the Lieutenant-Governor in Council as the Minister may deem advisable. Report of Inspector.

7.—(1) The Lieutenant-Governor in Council may make regulations respecting any of the several matters made the subject of investigation under this Act, or respecting the procedure to be followed in carrying out the provisions of this Act, and all such regulations not being inconsistent with this Act shall have the full effect of law on publication in the *Ontario Gazette*. Regulations.

(2) Such regulations shall be laid before the Assembly within fourteen days after being published in the *Ontario Gazette* if the Legislature is in session and if it is not in session then within the first fifteen days of the ensuing session. Regulations to be laid before the Assembly.

8. The inspector for the purpose of making an investigation under the provisions of this Act shall have power,— Powers of Inspector.

Entry upon  
lands, etc.

- (a) To enter upon any land and premises of any operator and to examine the interior of any room, tent, cabin, house, or other place of accommodation provided for the living or working places of employees, and of any kitchen, dining-room, storeroom or other place used for the preparation, serving and storing of food;

Summoning  
of witnesses.

- (b) To summon any person to attend as a witness before him with or without the production of documents, payrolls, price lists, diet sheets, shanty books, or other books or documents relevant to the investigation, and in the case of any person so summonsed refusing to attend after payment or tender of his proper fees, application may be made in a summary way to a justice of the peace having jurisdiction in the city, town or district wherein the investigator may be sitting, for an order compelling such attendance, and such justice of the peace may make such order as might be made in any case wherein such justice has power to compel appearance before him in pursuance to *The Summary Convictions Act*; and

Rev. Stat.,  
c. 121.

Administra-  
tion of oaths.

- (c) To administer an oath to any person attending as a witness before him and to examine such person on oath or affirmation.

Power of  
keeping  
order during  
hearing.

**9.** The inspector during the taking of *viva voce* evidence shall sit and conduct himself as in open court and for the purpose of preserving order during the taking of such evidence shall have all the powers of a judge of a county or district court, except the power of committing for contempt.

Witness fees.

**10.** Witnesses shall be entitled to the same fees as in a division court.

Irregularity  
in form  
not to  
invalidate.

**11.** No proceeding under this Act shall be deemed invalid by reason of any defect of form or technical irregularity.

Commence-  
ment of Act

**12.** This Act shall come into force on the day upon which it receives the Royal Assent.

PART II  
PRIVATE ACTS  
Chapters 67 to 104



## CHAPTER 67.

## An Act respecting The Bankers Trust Company.

*Assented to April 3rd, 1934.*

**W**HEREAS The Bankers Trust Company has by its Preamble. petition represented that it was incorporated by a special Act of the Legislature of the Province of Quebec, passed in the fifth year of the reign of His late Majesty King Edward VII, which said Act was amended by an Act of the said Legislature passed in the ninth year of the reign of His late Majesty King Edward VII, under the name of The Bankers Trust Company; and by an Act of the Legislature of the Province of Ontario, passed in the tenth and eleventh years of the reign of His Majesty King George V and chaptered 156, the said company was authorized to carry on only the business of a trust company in the Province of Ontario in conformity to the public general law thereof; and that the said company is desirous of having an Act passed to amend the provisions of the said Act of the Province of Ontario as aforesaid in respect of the security required to be given by the said company as therein set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Bankers Trust Company* Short title.  
*Act, 1934.*

2. Section 1 of chapter 156 of the Statutes of Ontario, 1920, 1920,  
c. 156, s. 1,  
re-enacted. is repealed and the following substituted therefor:

1. Upon giving security to the satisfaction of the Lieutenant-Governor of the Province of Ontario in Council in a sum of two hundred thousand dollars (\$200,000), or such lesser sum as the Lieutenant-Governor in Council may approve, but not less than a sum of fifty thousand dollars (\$50,000), the company shall upon filing with the Registrar appointed under *The Loan and Trust Corporations Act*, a power of attorney as required by section 119 Authority to carry on business in Ontario.  
Rev. Stat.,  
c. 223.

of the said last-mentioned Act and upon being registered under the said Act, be authorized and empowered to carry on and exercise in the Province of Ontario the business of a trust company with the powers set forth in *The Loan and Trust Corporations Act*.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 68.

## An Act respecting the City of Brantford.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the city of Brantford has Preamble.  
by petition represented that the electors of the said corporation have approved of the council of the corporation being composed of the mayor and two aldermen for each ward, and of the creation of a public utilities commission to be entrusted with the control and management of all public utilities in the said city; that a condition of unemployment has existed in the said city for several years, and still continues, which has necessitated and will require the expenditure by the corporation of large sums of money; that in connection with unemployment relief the said corporation during the summer of 1933 has expended the sum of \$29,712 in the construction of relief works, and has passed its by-law number 2409 to provide for the payment therefor by the issue of debentures during a period of ten years; that the said corporation should be enabled to issue debentures during a period of three years, inclusive of the year 1935, in a sum not exceeding \$50,000 in each year, to meet accruing instalments of principal on outstanding debentures for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital; and the said corporation has by its said petition prayed that an Act may be passed for the purposes aforesaid; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The City of Brantford Act, 1934.* Short title.

2. From and after the 1st day of January, 1935, the Composition of council.  
council of the corporation of the city of Brantford shall be composed of the mayor and two aldermen for each ward, unless and until a by-law for the purpose of making other provision in that respect shall have been passed in accordance Rev. Stat c. 233.  
with the provisions of *The Municipal Act.*

Creation of  
public  
utilities  
commission.

3. It shall be lawful for the council of the said corporation to provide by by-law for a commission, to be known as "The Public Utilities Commission of the City of Brantford" and to entrust such commission with the management and control of all public utilities of the said corporation, and the provisions of *The Public Utilities Act* shall apply to such commission, except that such by-law shall not require the assent of the municipal electors.

Rev. Stat.,  
c. 249.

Validation  
of By-law  
No. 2409 and  
debentures.

4. By-law number 2409 of the said corporation, passed on the twenty-third day of December, 1933, to authorize the issue of debentures for \$29,712 for the construction of certain relief works, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding on the said corporation, and the ratepayers thereof.

Issue of  
refunding  
debentures  
for certain  
purposes.

5. The council of the said corporation may pass by-laws in any year during a period of three years from and inclusive of the year 1935, to borrow sums not exceeding in any year \$50,000 and to issue debentures for a term not exceeding twenty years therefor for the payment of maturing instalments of principal upon outstanding instalment debentures of the said corporation for the erection of public schools, for the corporation's share of local improvements, and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital, and to levy during the period of the currency of the debentures a special general rate sufficient to meet the interest and principal thereof upon all the rateable property in the said municipality of public school supporters with respect to debentures to meet accruing instalments of principal on outstanding instalment debentures for the erection of public schools, and on all rateable property in the municipality with respect to such debentures to meet accruing instalments of principal on outstanding instalment debentures for the corporation's share of local improvements and for extensions and improvements to the Brantford Street Railway System and to the Brantford General Hospital.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 69.

An Act respecting the Brantford Young Men's  
Christian Association.*Assented to April 3rd, 1934.*

**W**HEREAS an association under the name of The Preamble.  
Brantford Young Men's Christian Association was incorporated on the 30th day of March, 1874, under the provisions of an Act passed in the 37th year of the reign of Her late Majesty Queen Victoria, chaptered 34, and entitled *An Act respecting Benevolent, Provident and other Societies* and has since existed for the purposes therein set forth, and under the provisions an Act passed in the 3rd year of the reign of His late Majesty King Edward the Seventh, chaptered 130, the incorporation was confirmed and the rights and powers of the said association were defined as therein set forth; and whereas the said association has by petition prayed that the said powers granted under the said last mentioned Act be enlarged so that it may acquire and hold lands outside the city of Brantford; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Brantford Y.M.C.A. Act*, Short title. 1934.

2. Section 1 of chapter 130 of the Acts passed in the 3rd 1903,  
year of the reign of His late Majesty King Edward the Seventh c. 130, s. 1,  
is amended by striking out the words "in the city of Brantford" amended.  
in the seventeenth and eighteenth lines and inserting in lieu thereof the words "or any interest therein in any place or places in the Province of Ontario."

3. Any real estate acquired by the corporation situate Tax  
outside the city of Brantford shall not be exempt from exemption  
taxation. not to apply.

4. This Act shall come into force on the day upon which Commence-  
it receives the Royal Assent. ment of Act.

## CHAPTER 70.

## An Act respecting the City of Chatham.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the city of Chatham has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Chatham Act, 1934.*

Income and business assessment roll.

Rev. Stat., c. 238.

2.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may by by-law provide for taking the assessment of income and business separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

Procedure.

Rev. Stat., c. 238.

(2) Any such by-law shall provide for the time when the roll for such income and business assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Inclusion of income and business assessment with revised assessment roll.

(3) The assessment of income and business so made and completed in any year, whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income and business on which the rates of taxation upon income and business for such year shall be levied by the council and the assessment roll thereof with the assessment roll of real property and other assessments made

for

for the same year shall when both thereof are finally revised together form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act, The Assessment Act* and any other general or special Act.

Rev. Stat.,  
cc. 233, 238.

(4) The said council may provide that taxation upon income and business assessments may be made payable at times different from those at which other taxation is made payable.

Time for  
payment of  
income and  
business tax.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

## CHAPTER 71.

## An Act respecting the Town of Collingwood.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the town of Collingwood has by its petition represented that on the 6th day of November, 1933, it passed its by-law number 1133 to issue debentures for \$37,000 to provide the necessary funds to pay bonds in the same amount issued by Imperial Steel and Wire Company Limited and guaranteed as to payment by the said corporation under the authority of chapter 65 of the Statutes of Ontario, 1914, and that the issue of such debentures is desirable in order to avoid overburdensome taxation in one year being imposed to pay the said bonds and has prayed that the said by-law be ratified and confirmed by special legislation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Collingwood Act, 1934.*

By-law  
No. 1133  
and  
debentures  
validated.

**2.—(1)** By-law number 1133 of the corporation of the town of Collingwood, and all debentures issued or to be issued thereunder are hereby ratified, validated, and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

Approval of  
Municipal  
Board  
necessary.

**(2)** No debentures shall be issued under the authority of said by-law number 1133 without the approval of the Ontario Municipal Board.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 72.

## An Act respecting the Township of Cornwall.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the township of Cornwall Preamble.  
 has by its petition prayed for special legislation to  
 ratify and confirm its by-law number 1278B providing for the  
 granting of a fixed assessment to Courtaulds (Canada)  
 Limited and the agreement dated the 5th day of March,  
 1934, made between the said corporation and the said company  
 relating to the said fixed assessment; and whereas it is expedient  
 to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:

**1.** This Act may be cited as *The Township of Cornwall Act*, Short title.  
 1934.

**2.** By-law number 1278B of the corporation of the township By-law  
No. 1278B  
and  
agreement  
with  
Courtaulds  
(Canada)  
Limited  
confirmed.  
 of Cornwall passed on the 5th day of March, 1934, and  
 the agreement dated the 5th day of March, 1934, made  
 between the said corporation and Courtaulds (Canada)  
 Limited, both relating to the granting of a fixed assessment to  
 the said company are and each of them is hereby ratified and  
 confirmed, and declared to be legal, valid and binding upon  
 the said corporation and the ratepayers thereof, and the said  
 company and its successors and assigns.

**3.** This Act shall come into force on the day upon which Commence-  
ment of Act.  
 it receives the Royal Assent.

## BY-LAW No. 1278B OF THE TOWNSHIP OF CORNWALL

IN THE COUNTY OF STORMONT, FOR THE YEAR 1934

A By-Law fixing the assessment upon the property of Courtaulds (Canada) Limited in the Township of Cornwall for a period of Ten Years and authorizing the execution of an agreement between said Company and said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an agreement dated the 5th day of March, 1934, to fix the assessment and taxes on all real estate, buildings, machinery and plant of Courtaulds (Canada) Limited for a period of Ten Years as set out in said agreement and upon the terms, provisos and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the Corporate Seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall, and it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said agreement with said Courtaulds (Canada) Limited bearing date the 5th day of March, A.D. 1934.

And it is hereby further enacted that the said agreement with said Courtaulds (Canada) Limited shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf.

Passed in open Council, signed and sealed this Fifth day of March, A.D. 1934.

V. A. McDONALD,  
*Clerk.*

J. L. McDONALD,  
*Reeve.*

This Agreement made in duplicate the 5th day of March, A.D. 1934.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, in the County of Stormont, and Province of Ontario, and Dominion of Canada, hereinafter called the Corporation

"of the first part"

—and—

COURTAULDS (CANADA) LIMITED, a body corporate having its Head Office at the Township of Cornwall, in the County of Stormont, hereinafter called the Company

"of the second part."

Whereas the Company has applied to the Corporation for a fixed assessment in respect of the lands and premises hereinafter described for all purposes including business assessment (but save and except and excluding taxation for school purposes and local improvement rates) and it is expedient to grant the same upon the terms and conditions hereinafter set forth.

Now

Now therefore this agreement witnesseth that in consideration of the premises and of the covenants herein expressed the parties hereto covenant and agree each with the other as follows, that is to say:

1. The Company, during the whole period of the term of the fixed assessment herein granted namely, from the First day of January, 1934, to the Thirty-first day of December, 1943, will continuously carry on its business manufacturing rayon yarn, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business or as may be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company.

2. The Corporation, subject to the limitations in this agreement hereinafter expressed, agrees that the assessment of all the lands and premises described in paragraph nine, together with all buildings, residences, plant, machinery and fixtures which may hereafter be erected thereon and all other assessable property used thereon in connection with the business of the Company shall be fixed for all purposes including business assessment (but save and except and excluding taxation for school purposes and local improvement rates at the sum of \$800,000.00 for each of the years 1934 to 1943, both inclusive and that save and subject as aforesaid the said lands and premises, buildings, residences, plant, machinery, fixtures and all other assessable property used or to be used thereon in connection with the said business shall be exempt for the years 1934 to 1943 both inclusive, from further taxation by the Corporation; provided that notwithstanding the said fixed assessment and partial exemption from taxation granted to the Company by this agreement, the said lands and premises shall be annually assessed during the said period of ten years in the same manner as if this agreement had not been made and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term but the said taxes including business taxes (save and except and excluding taxation for school purposes and local improvement rates shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisoes and conditions of this agreement or any of them and in the event of such default the whole of the taxes for the year in which such default occurs shall immediately become due and payable and may be collected by the Corporation, as if this agreement had not been made but the Company shall not be subject to any other penalty in respect of such default.

3. The Company during the said period, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business and except for such periods of shutting down as shall be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company, will employ continuously in its business in the Township of Cornwall an average of at least One Thousand Employees, divided approximately equally into male and female employees, and will pay out in wages a minimum weekly sum of Twenty Thousand Dollars, subject however, to a proportionate reduction of any period in which the said business is not operating by reason of cessation, strikes or other circumstances beyond the reasonable control of the Company aforesaid.

4. The Company will provide and maintain at its own expense all necessary water and sewerage facilities and its own fire protection.

5. The Company will furnish to the Corporation free of charge, all surplus cinders made on its premises, over the requirements of the Company, as the same may be required by the Corporation.

6. The Company will provide and maintain at its own expense all roads and streets required for its purposes on its property.

7. The Company, at all times during the said period will insure and keep insured its factory and buildings, plant, machinery and equipment to an amount approved in writing by the Corporation and if at any time

during

during the said period the said factory and buildings, plant, machinery and equipment shall be wholly or partially destroyed by fire or other agency then, and in such event and as often as the same may happen the Company, if it desires and is to continue to receive the benefits of this agreement shall proceed at once to rebuild and restore or repair the said factory and buildings, plant, machinery and equipment so as to make the same available at the earliest reasonable time for the purposes of its business on its said property and in the event of default of the Company to so rebuild, repair and restore, the Company shall cease to be entitled to the exemption herein provided but shall not be subject to any other penalty in respect thereof.

8. If the Company ceases to carry on its business upon the said lands and premises for any cause or to any extent prior to the said 31st day of December, 1943, the Company shall not be entitled to any fixed assessment or partial exemption from taxation under this agreement and the benefits to the Company hereunder shall cease and be determined.

9. The lands and premises of the Company affected by and receiving the benefit of this agreement are described as follows:—*Firstly:* All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Cornwall, in the County of Stormont, and being composed of Lot Number Four in the First Concession of the said Township of Cornwall, save and except thereout the Canadian National Railway right-of-way and King's Highway No. 2.

*Secondly:* All and singular that certain parcel or tract of land and premises situate, lying and being in the Township of Cornwall, in the County of Stormont, and being composed of Lots Numbers One, Two and Three and Lots Numbers Two Hundred to Two Hundred and Sixteen both inclusive, as laid out on a Map or Plan of Villeneuve, laid out on part of the West half of Lot Number Three in the First Concession of the said Township of Cornwall.

10. In the event of the Company letting or assigning any portion of its said lands and premises or permitting any person, firm or corporation to occupy any portion of the said lands and premises, then upon occupation thereof by any person, firm or corporation other than the Company such portion shall be excluded during the term of its occupation by such person, firm or corporation from the benefits of this agreement and such portion while so occupied and such person, firm or corporation while so occupying shall be subject to all the incidents of assessment pursuant to the provisions of *The Assessment Act* and such letting, assignment or occupation shall not operate to reduce or in any way affect the amount of the fixed assessment and partial exemption enjoyed by the Company hereunder.

11. If at any time hereafter the Corporation desires to pass a by-law granting a bonus or fixed assessment in respect of a branch of the industry the same as or of a nature similar to the one to be carried on by the Company, the Company as evidenced by its execution of these presents hereby consents to the granting of such bonus or fixed assessment and no further or other consent requisite under *The Bonus Limitation Act*, the *Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the Company agrees to execute such consent if required by the Corporation.

12. The Company agrees that the auditors of the Corporation or any person or persons appointed by resolution of the Council for that purpose shall at any time during each year have free and full access to the necessary books of the Company for the purpose of ascertaining the number of employees continuously employed and the amount paid out in wages by the Company during the year ending on the then preceding 31st day of December.

13. The Company agrees to pay all expenses which may be incurred by the Corporation in connection with the granting of the fixed assessment and of any legislative ratification that may be required or obtained.

14. This agreement shall enure to the benefit of and be binding upon  
the

the successors and assigns of the parties hereto but any assignment of this agreement by the Company shall not be of any force or effect or of any benefit to its assignee until the same is consented to by by-law of the Corporation.

In witness whereof the Reeve and Clerk of the Corporation of the Township of Cornwall have hereunto set their hands and affixed the Corporate Seal and said Courtaulds (Canada) Limited have also set the hands of their proper Officers thereunto lawfully authorized and have affixed their Corporate Seal.

SIGNED, SEALED AND DELIVERED  
in the presence of

THE CORPORATION OF THE TOWNSHIP OF CORNWALL.

(Sgd.) G. A. PHILLIPS.  
[SEAL]

(Sgd.) J. L. McDONALD,  
*Reeve.*

As to execution by the Corporation  
of the Township of Cornwall.

(Sgd.) V. A. McDONALD,  
*Clerk.*

COURTAULDS (CANADA) LIMITED.

(Sgd.) G. W. SCARTH.

(Sgd.) N. LINNETT,  
*General Manager.*

[SEAL]

(Sgd.) W. JONES,  
*Secretary-Treasurer.*

## CHAPTER 73.

An Act respecting the Township of Cornwall and  
the Town of Cornwall.*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the township of Cornwall and the corporation of the town of Cornwall have by their petitions prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayers of the said petitions;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Township and Town of Cornwall Act, 1934.*

Township  
By-law  
No. 1279B  
and Town  
By-law  
No. 8 (1934)  
and  
agreement  
with  
Canadian  
Industries  
Limited  
confirmed.

**2.** By-law number 1279B of the corporation of the township of Cornwall and By-law number 8, 1934, of the corporation of the town of Cornwall confirming an agreement dated the 12th day of February, A.D. 1934, made between the said corporations and Canadian Industries Limited, and the said agreement are and each of them is hereby ratified, confirmed and declared to be legal, valid and binding on each of the said corporations and the ratepayers thereof, and upon the said company, its successors and assigns, and the said corporations are hereby authorized and empowered to do all acts and things necessary for the due fulfillment and proper carrying out of the said by-laws and agreement.

Commence-  
ment of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.

## BY-LAW No. 1279B OF THE TOWNSHIP OF CORNWALL,

IN THE COUNTY OF STORMONT, FOR THE YEAR 1934

A BY-LAW fixing the assessment upon the property of Canadian Industries Limited in the Township of Cornwall for a period of Ten Years and authorizing the execution of an agreement between said Company and said Corporation in respect thereof.

Whereas the Corporation of the Township of Cornwall has entered into an agreement dated the 14th day of February, A.D. 1934, to fix the assessment and taxes on all real estate, buildings, machinery and plant of Canadian Industries Limited for a period of Ten Years as set out in said agreement and upon the terms, provisos and conditions in said agreement contained;

And whereas it is necessary to authorize the Reeve and Clerk of the Corporation of the Township of Cornwall to execute the said agreement and attach the Corporate seal thereto;

Be it therefore enacted a By-law of the Corporation of the Township of Cornwall, and it is hereby enacted that the Reeve and Clerk be and they are hereby authorized and empowered to sign and seal with the Corporate Seal of the Township of Cornwall, said agreement with said Canadian Industries Limited bearing date the Twelfth day of February, A.D. 1934;

And it is hereby further enacted that the said agreement with said Canadian Industries Limited shall not come into operation or take effect until the same is ratified, confirmed and validated as provided by the Statutes in that behalf:

That for the purpose of providing the funds required to pay for the construction of the sewerage facilities and the improvement of Brookdale Avenue as set out in the said agreement there shall be borrowed on the credit of the Corporation the sum of \$5,250.00 and debentures shall be issued therefor on the instalment plan in sums of not less than \$100.00 each, such debentures shall have coupons attached thereto for the payment of the interest.

The debentures shall all bear the same date and shall be issued within two years after the date on which this by-law is passed and may bear any date within such two years and shall bear interest at the rate of five per cent. per annum payable yearly and shall be payable in ten equal annual instalments during the ten years next after the date when they shall be issued, the annual payment in each year to be \$679.76 to cover principal and interest.

The debentures as to both principal and interest shall be expressed in Canadian currency and shall be payable at the office of the Canadian Bank of Commerce, Cornwall.

The debentures and interest coupons shall be signed by the Reeve and Treasurer and the debentures shall be sealed with the seal of the Corporation.

During the currency of the debentures there shall be raised in each year the sum of \$679.76 the amount of principal and interest payable in that year by a special rate on all the rateable property in the said Corporation.

Passed in open Council, signed and sealed this 5th day of March, A.D. 1934.

(Sgd.) V. A. McDONALD,  
Clerk.  
(Seal)

(Sgd.) J. L. McDONALD,  
Reeve.

## BY-LAW No. 8, 1934, OF THE TOWN OF CORNWALL

A BY-LAW authorizing the Mayor and Clerk to sign an agreement dated the 12th day of February, A.D. 1934, between the Corporation of the Township of Cornwall, the Corporation of the Town of Cornwall and Canadian Industries Limited for the establishment of a branch of the said Canadian Industries Limited on part of Lot Number Thirteen lying north of the King's Highway No. 2 in the First Concession of the Township of Cornwall.

The Municipal Council of the Town of Cornwall enacts as follows:

That the Mayor and Clerk shall be and they are hereby authorized to sign and affix the Corporate seal to an agreement dated the 12th day of February, A.D. 1934, and made between the Corporation of the Township of Cornwall, the Corporation of the Town of Cornwall and Canadian Industries Limited under which the said Canadian Industries Limited are to establish a branch for the manufacture of some of its products on part of Lot Number Thirteen in the First Concession of the Township of Cornwall lying north of King's Highway No. 2 more particularly described in the said agreement.

Passed, Signed and Sealed in open Council this 3rd day of March, A.D. 1934.

J. G. HARKNESS  
*Clerk*

J. LEONARD JOHNSON,  
*Acting Mayor.*

Memorandum of Agreement entered into on the Twelfth day of February, One thousand nine hundred and thirty-four.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF CORNWALL, County  
of Stormont, Province of Ontario,

party of the First Part;

—and—

THE CORPORATION OF THE TOWN OF CORNWALL, County of  
Stormont, Province of Ontario,

party of the Second Part;

—and—

CANADIAN INDUSTRIES LIMITED, a body politic and corporate,  
having its head office and chief place of business in the City  
and District of Montreal,

party of the Third Part.

Whereas the party of the Third Part is contemplating the erection of a plant in the said Township of Cornwall for the manufacture of some of its products; and

Whereas the parties hereto have agreed that the said plant shall be erected on that part of Lot Number Thirteen in the First Concession of the Township of Cornwall, more particularly hereinafter described; and

Whereas the establishment of the said plant in the Township of Cornwall will be of great benefit to both the Town and Township of Cornwall.

Now therefore the parties hereto mutually covenant and agree as follows:

1. That the said party of the Third Part will in the near future establish a plant in the said Township of Cornwall for the manufacture of some of

its

its products on the south twenty acres of that part of the east half of Lot Number Thirteen in the First Concession of the said Township of Cornwall lying north of King's Highway Number 2, and the southeast part of that part of the west half of said Lot Number Thirteen in the First Concession of the Township of Cornwall lying north of the said Highway Number 2, containing approximately ten acres.

2. That the party of the Third Part shall expend at least Seven Hundred Thousand Dollars (\$700,000) in the erection of a plant on the said property and the installation of machinery, therein, and will employ at least Fifty (50) men in the operation of the said plant.

3. The said party of the Second Part covenants and agrees to supply water from their mains to the party of the Third Part at a cost of Three and one-quarter cents (3¼c.) per One Thousand (1,000) gallons for a period of ten years from the time the said water shall begin to be supplied for manufacturing purposes up to an amount of Three Million (3,000,000) gallons per day and for the supplying of that water, the said party of the Third Part shall have the right to tap the mains along Fifth Street and the Montreal Road.

4. That all general taxes or assessments to be levied by the party of the First Part on the said property and plant (other than the assessment for school purposes and for local improvements) shall, for a period of Ten (10) years from the First of January, One thousand nine hundred and thirty-four, be based upon a fixed assessment of the said property and plant including business assessment of Three Thousand Dollars (\$3,000.00). Notwithstanding the said fixed assessment and partial exemption from taxation granted to the said party of the Third Part by this agreement the said lands and premises shall be annually assessed during the said period of ten years and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term. Nevertheless the said taxes, including business taxes but excluding local improvement rates and taxation for school purposes shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisoes and conditions of this agreement or any of them; in the event of such default the whole of the taxes for the year in which said default occurs shall immediately become due and payable and may be collected by the party of the First Part as if this agreement had not been made but the party of the Third Part shall not be subject to any other penalty in respect of such default.

5. The said parties of the Third Part are to insure their buildings and plant on the said premises and in the event of the said buildings being burned and not rebuilt or if the said party of the Third Part should cease to carry on business the provision for a fixed assessment under this agreement shall cease to be operative and the property of the said party of the Third Part shall be assessed at its assessable value.

6. It is further understood and agreed that this fixed assessment shall not apply to any of the above described property sublet to any other person or corporation, unless said subsidiary or corporation be wholly owned by the party of the Third Part.

7. That the said parties of the First and Second Part shall provide sewer facilities for the plant to be erected by the said party of the Third Part by the construction of a twenty-four inch salt glazed vitrified clay pipe sewer leading from the Montreal Road to and into the culvert under the Cornwall Canal and shall at their own cost and expense improve the said Brookdale Avenue with waterbound macadam from Fifth Street to the Cornwall Canal; it being distinctly understood and agreed between the said parties of the First and Second Part that the proportion of cost of the said works to be paid by the said party of the First Part shall not exceed Five Thousand Two Hundred and Fifty Dollars (\$5,250.00), the balance thereof to be paid by the party of the Second part.

8. That the party of the Third Part shall have the right to an easement over Brookdale Avenue to place pipe-lines for the purpose of supplying water and brine to its plant if deemed necessary, such easement to extend from the plant of the said party of the Third Part to the Cornwall Canal.

9. If at any time hereafter the said party of the First Part desires to pass a by-law granting a fixed assessment in respect of a branch of an industry the same as or of a nature similar to the one to be carried on by the party of the Third Part, the said party of the Third Part as evidenced by its execution of these presents hereby consents to the granting of such fixed assessment and no further or other consent requisite under *The Bonus Limitation Act, The Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the party of the Third Part agrees to execute such consent if required by the party of the First Part.

10. That the said parties of the First and Second Part will pass the necessary By-laws to give effect to this agreement.

11. That this Agreement shall not be binding on any of the parties hereto until the said By-laws have been ratified by the Legislative Assembly for Ontario.

In witness whereof the parties hereto have hereunto set their hand and affixed their Seal the day and year hereinabove first written.

Witness:

THE CORPORATION OF THE TOWNSHIP  
OF CORNWALL.

J. L. McDONALD, *Reeve.*

V. A. McDONALD, *Clerk,*  
Party of the First Part;

[SEAL]

Witness:

THE CORPORATION OF THE TOWN OF  
CORNWALL.

CHARLES MICHAUD.

J. LEONARD JOHNSON,  
*Acting Mayor.*

J. G. HARKNESS, *Clerk.*  
Party of the Second Part;

[SEAL]

Witness:

CANADIAN INDUSTRIES, LIMITED.

WINTHROP BRAINARD,  
*Vice-President.*

RUSSELL SMITH,  
*Assistant Secretary,*

Party of the Third Part

## CHAPTER 74.

## An Act respecting the Township of Etobicoke.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the township of Etobicoke Preamble.  
 has by its petition prayed for special legislation in  
 respect of the matters hereinafter set forth; and whereas it is  
 expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:

**1.** This Act may be cited as *The Township of Etobicoke Act*, Short title.  
 1934.

**2.** By-law number 4052 of the corporation of the township By-law  
No. 4052  
and  
debentures  
confirmed.  
 of Etobicoke passed on the 10th day of July, 1933, to authorize  
 the borrowing of \$37,585 upon debentures to pay for lands,  
 the erection of buildings and the construction of a main to  
 connect the said lands and buildings with the water system of  
 the said township, and all debentures issued or to be issued  
 thereunder are hereby confirmed and declared to be legal,  
 valid and binding upon the said corporation and the ratepayers  
 thereof.

**3.—(1)** All sales of land within the township of Etobicoke Confirma-  
tion of tax  
sales and  
conveyances.  
 made prior to the 31st day of December, 1932, and purporting  
 to have been made by the corporation of the township of Etobi-  
 coke or its treasurer for arrears of taxes in respect to the land  
 so sold, are hereby validated and confirmed, and all con-  
 veyances of land so sold executed by the reeve, treasurer and  
 clerk of the said corporation purporting to convey the said  
 land so sold to the purchaser thereof or his heirs or assigns,  
 or to the said corporation, shall have the effect of vesting the  
 land so sold in the purchaser or his heirs or assigns and his or  
 their heirs and assigns, or in the said corporation and its  
 successors and assigns, as the case may be, in fee simple and  
 clear of and free from all right, title and interest whatsoever of  
 the owners thereof at the time of the said sale, or their assigns,  
 and all charges and encumbrances thereon and dower therein,

except

except taxes accruing after those for non-payment of which the land was sold.

Except  
pending  
litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

1923,  
c. 62, s. 5,  
amended.

4. Section 5 of *The Township of Etobicoke Act, 1923*, is amended by adding thereto the following subsection:

(2) Notwithstanding anything contained in subsection 1 the sale and distribution of water may be carried on as one system.

1923, c. 62,  
s. 16, subs. 1,  
clause a,  
amended.

5. Clause *a* of subsection 1 of section 16 of *The Township of Etobicoke Act, 1923*, is amended by inserting before the word "sewers" in the first line the word "sanitary" and by inserting before the word "sewerage" in the second line of the said clause the word "sanitary."

By-law  
No. 4014  
confirmed.

6. By-law number 4014 of the said corporation, passed on the 13th day of March, 1933, to provide a fixed assessment on certain lands owned by National Silicates Limited is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

1924,  
c. 95, s. 3,  
amended.

7. Section 3 of *The Township of Etobicoke Act, 1924*, is amended by adding at the end thereof the following words: "and raise and levy the same by a special rate on all the real property in such area or section."

Commence-  
ment of Act

8. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934.

## CHAPTER 75.

## An Act respecting the Village of Forest Hill.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the village of Forest Hill Preamble.  
has by its petition prayed for special legislation in  
respect of the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** This Act may be cited as *The Village of Forest Hill Act*, Short title.  
1934.

**2.** The council of the corporation may enter into an agree- Authority  
ment for the purchase of an additional two acres of land for to enlarge  
the purpose of enlarging the public park on the east side of park.  
Bathurst street, and may pass by-laws for such purpose and  
for the issue of debentures to pay for the said land, and it  
shall not be necessary to obtain the assent of the electors of Assent of  
the said village qualified to vote on money by-laws to the electors not  
passing of such by-laws. requisite.

**3.**—(1) The council of the said corporation may pass by- Power to  
laws to acquire or expropriate not only the land in the said expropriate  
village actually required for the opening, widening, extension land in  
or straightening of a street or for the laying out and establish- connection  
ing of a park or playground, but also any land within 200 with the  
feet of the limits or sides of such street, park or playground, opening,  
and the provisions of *The Municipal Act* shall apply with widening,  
respect to any such acquisition or expropriation. etc., of a  
street or the  
laying out  
of a street or  
park.

(2) The council of the said corporation may pass by-laws Acquisition  
to acquire by purchase from the owner thereof any land of factory,  
owned, occupied or held for manufacturing or business purposes etc., lands.  
and situate in any defined area in the said village in respect of  
which a by-law has been passed and approved by the Ontario  
Municipal Board under the authority of section 398 of *The*  
*Municipal Act*.

Power to  
levy a  
fixed rate  
annually.

(3) The said corporation may for the purposes mentioned in subsections 1 and 2 issue debentures payable within twenty years to an amount which shall not in any one year for the payment of sinking fund or principal and interest upon all such debentures necessitate the levy in the aggregate of annual rates of more than two mills in the dollar on the rateable property in the said village according to the last revised assessment roll.

Rate not to  
be part of  
annual levy  
for general  
municipal  
purposes.

(4) The annual rates mentioned in subsection 3 shall not form part of the aggregate rates referred to in subsection 2 of section 306 of *The Municipal Act* for the purposes mentioned therein.

Approval of  
Ontario  
Municipal  
Board  
necessary.

(5) Before exercising any of the powers conferred by this section, the corporation shall first obtain the approval of the Ontario Municipal Board.

Board may  
direct notice  
to be given  
or direct  
vote of  
electors  
entitled  
to vote on  
money  
by-laws.

(6) The said Board may approve of the exercise of any of the said powers, and before so doing shall direct such notice to be given to the owner of any land which may be affected by the exercise of such power and may direct such other notice to be given and published as the Board may specify for the purpose of hearing objections to approval being given and may direct that a vote of the electors entitled to vote on money by-laws shall first be taken upon the proposed undertaking.

When  
Rev. Stat.,  
c. 233, s. 343,  
not to apply.

(7) Section 343 of *The Municipal Act* shall not apply with respect to any street opened, widened, extended or straightened under the authority of this section and the powers contained in the said section 343 shall not be used for such purpose.

Authority  
to establish  
parks and  
squares  
of an area  
greater  
than 2  
acres.

4. The council of the said corporation may on petition only under the authority of and in accordance with the provisions of *The Local Improvement Act* exercise the powers conferred by clause 1 of subsection 1 of section 2 of the said Act notwithstanding that the park or square to be acquired, established, laid out or improved has a greater area than two acres.

Payment  
of share of  
debentures  
issued by  
Township of  
York.

5. Where under the provisions of any general or special Act, the said corporation is liable to the corporation of the township of York for payment of any moneys, any payment made by the said corporation in respect of such liability shall not be used by the corporation of the said township for any purpose other than the purpose for which the payment is made, and upon payment in full to the corporation of the said township of any such liability the corporation of the said village shall be exonerated from any further liability or payment in respect thereof.

6.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the corporation of the said village may by by-law provide,—

Power to fix date for taking the assessment and to provide for separate income assessment.

(a) for taking the assessment in each year between such times as the by-law may define;

(b) for taking the assessment of income for the purpose of taxation in the year 1934 and in every year thereafter separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereon are to be levied as the by-law may provide.

(2) Any such by-laws shall provide for the time when the roll for such assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in the manner provided by *The Assessment Act*, upon the return of such assessment roll or rolls to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll or rolls and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Return of roll and appeals therefrom.

Rev. Stat., c. 238.j

(3) The assessments so made and completed in any year, whether or not they are completed by the time provided by the by-law shall upon their final revision be the assessments on which the rate of taxation for such year shall be levied by the council, and the assessment roll thereof or in the event of a separate assessment for income being made, such income assessment with the assessment roll of real property, business and other assessments made for the same year shall when they are finally revised form the last revised assessment roll of the whole rateable property within the municipality within the meaning and for the purpose of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

Final revision.

(4) The council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable.

Times for payment of income tax.

7. The provisions of section 20 of *The Assessment Act* shall apply to the village of Forest Hill.

Declaration as to income.

8. By-law number 803 of the said corporation to regulate the emission of smoke, soot or other substances is hereby ratified and confirmed and declared to be legal, valid and binding.

By-law No. 803 validated.

Application  
of  
debenture  
surpluses.

**9.** Any surplus which may have arisen or arise from the sale of any debentures heretofore or hereafter issued by the corporation or which may remain after any such debentures have been fully paid, may be applied and used,

- (a) to meet the principal due from year to year or in any year upon the issue of debentures in respect of which such surplus arose; or
- (b) if unrequired for the purpose mentioned in clause *a*, to meet the principal due from year to year or in any year upon any other issue of debentures; or
- (c) if approved by the Ontario Municipal Board, for the purposes of the general funds of the corporation.

Commence-  
ment of Act.

**10.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 76.

## An Act respecting the City of Hamilton.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the city of Hamilton has Preamble.  
by its petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The City of Hamilton Act, 1934.* Short title.

2. The corporation of the city of Hamilton, having collected Refund of taxes to Separate School Board.  
from the Separate School Board of the said city the sum of \$6,369.45 for local improvements charged against its properties  
in the said city for the years 1924 to 1932, contrary to the  
provisions of *The Assessment Act*, and of *The Local Improvement Act*, the council of the said corporation is authorized to refund Rev. Stat., cc. 238, 235.  
such sum to the said board.

3. The said corporation, having collected from the Peerless Refund of water rates to Peerless Wire Company.  
Wire Fence Company the sum of \$78.20 for water rates  
charged against its property in the said city for the years 1928  
to 1933, contrary to statute, the council of the said corporation  
is authorized to refund such sum to the said company.

4. The council of the said corporation is authorized to pass East 16th Street sewer rates.  
by-laws for altering and varying the rates imposed upon the  
lands abutting on East 16th Street from Concession Street to  
Inverness Avenue for the cost of the sewer constructed in the  
said street and for altering the special assessment roll therefor  
accordingly and for providing that the balance of the said  
cost not included in the special assessments as so altered and  
varied shall be borne by the said corporation.

5. This Act shall come into force on the day upon which Commence-ment of Act.  
it receives the Royal Assent.

## CHAPTER 77.

An Act respecting Hamilton By-Product  
Coke Ovens Limited.*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, by indenture of mortgage made as of the 1st day of February, 1923, known as the first mortgage indenture, mortgaged unto Central Trust Company of Illinois, a corporation organized and existing under the laws of the State of Illinois, and H. J. Daly, of the city of Toronto in the Province of Ontario, as trustees, the lands, premises and other assets therein described, to secure an issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds; and whereas the said H. J. Daly died on or about the 9th day of June, 1924; and whereas on the 14th day of January, 1929, the said Central Trust Company of Illinois by appropriate proceedings under the laws of the said state consolidated with the Bank of America to form a corporation known as Central Trust Company of Illinois; and whereas on the 25th day of July, 1931, the said last-named Central Trust Company of Illinois by appropriate proceedings under the laws of the said state consolidated with the Chicago Trust Company to form a corporation known as Central Republic Bank and Trust Company; and whereas the said Hamilton By-Product Coke Ovens Limited by Deed of Trust and Mortgage made as of the 1st day of July, 1931, known as the General Mortgage Trust Deed, mortgaged unto National Trust Company Limited, a body corporate, organized and existing under the laws of the Province of Ontario, the land, premises and other assets therein described, to secure an issue of General Mortgage 6½ Per Cent. Twenty-five Year Sinking Fund Bonds; and whereas the said Hamilton By-Product Coke Ovens Limited by Indenture made the 22nd day of November, 1932, supplemental to the said First Mortgage Indenture and known as the First Mortgage Supplemental Indenture, mortgaged the lands and premises therein described to the said Central Republic Bank and Trust Company as trustee under the said First Mortgage Indenture pursuant to the covenant for further assurances therein contained, to be held as part of the mortgaged premises under the said First Mortgage Indenture and

as

as security for the aforesaid issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds; and whereas pursuant to appropriate proceedings taken in that respect the said First Mortgage Supplemental Indenture is an incumbrance upon the lands and premises therein described in priority to the said General Mortgage Trust Deed; and whereas on the 28th day of November, 1932, the said Central Republic Bank and Trust Company by appropriate proceedings under the laws of the State of Illinois, changed its name to Central Republic Trust Company; and whereas the said Central Republic Trust Company is presently administering the trusts under the said First Mortgage Indenture; and whereas by reason of the said Central Republic Trust Company and its predecessor corporations as aforesaid, being corporations created out of the Province of Ontario and the proceedings in relation to their succession to the trusts under the said First Mortgage Indenture not being subject to the laws of the said Province and by reason of other matters relating to the title to the lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture, doubts have arisen as to the validity of the said several recited instruments and as to the estates of the said Central Republic Trust Company, National Trust Company Limited and Hamilton By-Product Coke Ovens Limited respectively in the said lands, premises and other assets, and the said Hamilton By-Product Coke Ovens Limited, with the concurrence of the said Central Republic Trust Company and National Trust Company Limited has petitioned that by an Act of the Legislative Assembly of the Province of Ontario the said several instruments be validated and confirmed and the said respective estates be vested according to the true intent of the parties to the said instruments; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *Hamilton By-Product Coke Ovens Limited Act, 1934.* Short title.

2. The Indenture of Mortgage made as of the 1st day of February, 1923, by Hamilton By-Product Coke Ovens Limited to Central Trust Company of Illinois and H. J. Daly, as trustees, known as the First Mortgage Indenture and more particularly referred to in schedule "A" to this Act, is hereby validated and confirmed as of the date thereof and declared to be and since its date to have been a valid and subsisting mortgage and charge of the lands, premises and other assets therein described. Validation of first mortgage.

Validation of  
supple-  
mental  
mortgage.

3. The Supplemental Indenture of Mortgage made the 22nd day of November, 1932, by Hamilton By-Product Coke Ovens Limited to Central Republic Bank and Trust Company as the then trustee under the said First Mortgage Indenture, known as the First Mortgage Supplemental Indenture, and more particularly referred to in schedule "B" to this Act, is hereby validated and confirmed as of the date thereof and declared to be and since its date to have been a valid and subsisting mortgage of the lands and premises therein described.

Validation of  
general  
mortgage.

4. The Deed of Trust and Mortgage made as of the 1st day of July, 1931, by Hamilton By-Product Coke Ovens Limited to National Trust Company Limited, as trustee, known as the General Mortgage Trust Deed, and more particularly referred to in schedule "C" to this Act, is hereby validated and confirmed and declared to be and since its date to have been a valid and subsisting mortgage and charge of the lands, premises and other assets therein described.

Vesting of  
title to  
mortgaged  
premises.

5. The lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture for all the estate and title therein and thereto to which Hamilton By-Product Coke Ovens Limited would be entitled if the said First Mortgage Indenture, First Mortgage Supplemental Indenture and General Mortgage Trust Deed had not been executed and delivered, are, notwithstanding any right or claim thereto of the Crown in right of the Province of Ontario by reason of any escheat, forfeiture or reversion, or of any person entitled under the said First Mortgage Indenture, First Mortgage Supplemental Indenture or General Mortgage Trust Deed, hereby vested:

- (a) in Central Republic Trust Company as trustee under the said First Mortgage Indenture upon the trusts and for the uses and purposes and with the powers and authorities and upon the terms and conditions mentioned and set out therein;
- (b) and subject to the said prior estate and interest therein of the said Central Republic Trust Company, in National Trust Company Limited as trustee under the said General Mortgage Trust Deed upon the trusts and for the uses and purposes and with the powers and authorities and upon the terms and conditions mentioned and set out therein;
- (c) and subject to the said prior estates and interests therein of the said Central Republic Trust Company and National Trust Company Limited in Hamilton By-Product Coke Ovens Limited.

Powers of  
trustee  
under  
mortgage.

6. Central Republic Trust Company is hereby declared to be entitled to administer the trusts of the said First Mortgage Indenture and to exercise all powers and authorities thereby

conferred

conferred upon the trustees therein named, and to hold, possess and retain title to the said lands, premises and other assets described in the said First Mortgage Indenture and in the said First Mortgage Supplemental Indenture upon, for and during the trusts thereunder.

7. This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

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### SCHEDULE "A"

Indenture of Mortgage made as of the 1st day of February, 1923, by and between the Hamilton By-Product Coke Ovens Limited, a corporation duly organized and existing under and by virtue of the laws of the Province of Ontario, Dominion of Canada, having its principal office in the city of Hamilton, Province of Ontario, Dominion of Canada, of the First Part and Central Trust Company of Illinois, a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, United States of America, and having its principal office in the city of Chicago in the said state, and H. J. Daly, of the city of Toronto, Province of Ontario, Dominion of Canada, of the Second Part, to secure an issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds of Hamilton By-Product Coke Ovens Limited, not to exceed in the aggregate \$3,500,000 and registered on the fifth day of March, 1923, in the Registry Office for the Registry Division of the County of Wentworth as No. 247215 for the city of Hamilton.

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### SCHEDULE "B"

Indenture by way of Supplemental Mortgage made the 22nd day of November, 1932, between Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, in the Dominion of Canada, and having its head office at the city of Hamilton in the said Province, of the First Part, and Central Republic Bank and Trust Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois, United States of America, and having its principal office at the city of Chicago in the said state, of the Second Part, to further secure the issue of First Mortgage Seven Per Cent. Twenty Year Sinking Fund Gold Bonds of Hamilton By-Product Coke Ovens Limited and registered on the 29th day of November, 1932, in the Registry Office for the Registry Division of Wentworth as No. 13431-N.S. for the city of Hamilton.

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### SCHEDULE "C"

Deed of Trust and Mortgage made as of the 1st day of July, 1931, between Hamilton By-Product Coke Ovens Limited, a company incorporated under the laws of the Province of Ontario, in the Dominion of Canada, and having its head office at the city of Hamilton in the said Province, of the First Part, and National Trust Company Limited, a body corporate, organized and existing under the laws of the said Province of Ontario, and having its head office at the city of Toronto in the said Province, of the Second Part, to secure an issue of General Mortgage 6½ Per Cent. Twenty-five Year Sinking Fund Bonds of Hamilton By-Product Coke Ovens Limited, not to exceed in the aggregate \$10,000,000 and registered on the 16th day of September, 1931, in the Registry Office for the Registry Division of Wentworth as No. 5906-N.S. for the city of Hamilton.

## CHAPTER 78.

## An Act respecting the Town of Harriston.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the town of Harriston has by its petition represented that its by-law number 646 to guarantee payment of the principal and interest of a first mortgage bond issue for \$35,000 of Royal Sterling Products Limited, an industry carrying on business in the said town, has been submitted to and received the assent of the electors of the corporation duly qualified to vote on money by-laws and has prayed that an Act be passed to validate and confirm the said by-law and an agreement entered into relating to the said guarantee; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Harriston Act, 1934.*

By-law  
No. 646 and  
agreement  
confirmed.

**2.** By-law number 646 of the corporation of the town of Harriston and the agreement made the 14th day of February, 1934, between the said corporation and Royal Sterling Products Limited are and each of them is ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company and its successors and assigns, and the said corporation is authorized and empowered to do all acts and things necessary for the due fulfilment and proper carrying out of the said by-law and agreement.

Approval of  
Ontario  
Municipal  
Board  
requisite.

**3.—(1)** Notwithstanding the provisions of section 2 or of the by-law and agreement therein confirmed no action shall be taken by the council of the corporation of the town of Harriston to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of the Royal Sterling Products Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose.

Inquiry by  
Ontario  
Municipal  
Board.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

Commence-  
ment of Act.

TOWN OF HARRISTON BY-LAW No. 646

A by-law to provide for the guarantee of payment of the principal and interest of first mortgage bonds of Royal Sterling Products Limited.

WHEREAS Royal Sterling Products Limited, a Company incorporated under the laws of The Dominion of Canada, having its head office in the Town of Harriston, proposes to issue first mortgage bonds as hereinafter described and secured by a deed of trust and mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds;

AND WHEREAS the said Royal Sterling Products Limited has petitioned this Corporation praying that this Corporation shall guarantee the payment of the principal of and interest on the said bonds;

AND WHEREAS the amount of the whole ratable property of the Municipality according to the last revised assessment is \$628,070.55;

AND WHEREAS the amount of the existing debenture debt of the Corporation exclusive of local improvement debt secured by special rates or assessments is \$34,334.01 and none of the principal or interest is in arrears;

NOW, THEREFORE, the Municipal Council of the Corporation of the Town of Harriston enacts as follows:

1 That the Mayor and Treasurer be and are hereby authorized for and on behalf of the Corporation of the Town of Harriston to guarantee the payment of the principal of and interest on first mortgage bonds to be issued by Royal Sterling Products Limited for an aggregate principal amount of Thirty-five Thousand Dollars bearing interest at the rate of five per cent. per annum payable semi-annually and repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in schedule "A" hereto annexed, such bonds to be issued under and secured by a deed of trust or mortgage to be made by the Company in favour of a trustee for the benefit of the holders of such bonds.

2. That the form of guarantee to be endorsed on the said bonds shall be as follows: "The Corporation of the Town of Harriston hereby guarantees to the holder for the time being of the within bond and to the holder for the time being of any of the coupons attached thereto due payment of the principal of the within bond and of the interest thereon according to the tenor of the said bond and of the coupons attached thereto."

SEAL

.....  
Mayor.

.....  
Treasurer.

And

And the Mayor and Treasurer are hereby designated to sign the said guarantee on behalf of the Corporation and to affix to each said endorsement the seal of this Corporation.

3. That in the event that default is made of payment of the principal of any of the said bonds or of any of the coupons for interest attached thereto by the said Royal Sterling Products Limited the Council of the Corporation of the Town of Harriston may agree with any bank or person for temporary advances to meet the amount in default in any one year pending the collection of such amount by a rate on all the rateable property in the Municipality.

4. That nothing herein done shall do away with or lessen the liability of Royal Sterling Products Limited to pay the principal of the said bonds and the coupons for interest attached thereto in the first instance or in any way interfere with the right of the Corporation of the Town of Harriston to recover from the said Royal Sterling Products Limited any and all sums of money which it may pay or expend in consequence of guaranteeing payment of the principal of and interest on the said bonds.

5. That this by-law shall come into force and take effect on the date upon which it is validated by the Legislature of the Province of Ontario.

Read a first and second time this 24th day of October, 1933.

Read a third time and passed this 15th day of December, 1933.

(Sgd.) J. H. FAWCETT,  
Mayor.

SEAL

(Sgd.) WM. MONTGOMERY,  
Clerk.

*Schedule "A" to By-Law No. 646*

No.	Principal	Interest	Total
1.....	\$1,058.49	\$1,750.00	\$2,808.49
2.....	1,111.42	1,697.07	2,808.49
3.....	1,166.99	1,641.50	2,808.49
4.....	1,225.34	1,583.15	2,808.49
5.....	1,286.60	1,521.89	2,808.49
6.....	1,350.93	1,457.56	2,808.49
7.....	1,418.48	1,390.01	2,808.49
8.....	1,489.40	1,319.09	2,808.49
9.....	1,563.87	1,244.62	2,808.49
10.....	1,642.07	1,166.42	2,808.49
11.....	1,724.17	1,084.32	2,808.49
12.....	1,810.38	998.11	2,808.49
13.....	1,900.90	907.59	2,808.49
14.....	1,995.94	812.55	2,808.49
15.....	2,095.74	712.75	2,808.49
16.....	2,200.52	607.97	2,808.49
17.....	2,310.55	497.94	2,808.49
18.....	2,426.08	382.41	2,808.49
19.....	2,547.38	261.11	2,808.49
20.....	2,674.75	133.74	2,808.49
	<u>\$35,000.00</u>		

This

This Agreement made this 14th day of February, A.D. 1934.

BETWEEN:

ROYAL STERLING PRODUCTS, LIMITED

of the first part;

—and—

THE MUNICIPAL CORPORATION OF THE TOWN OF HARRISTON

of the second part.

Whereas the Party of the First Part is now carrying on and has since in or about August, 1928, carried on business in the Town of Harriston as manufacturers of whisks and brooms;

And whereas since August, 1928, the Party of the First Part has almost continuously employed in its plant an average of fifty or more persons;

And whereas the Party of the First Part, being indebted to the Bank in the sum of Forty-five Thousand Dollars (\$45,000.00) and being required by the Bank to reduce said indebtedness has authorized the issue of Thirty-five Thousand Dollars (\$35,000.00) of first Mortgage bonds and has petitioned the corporation of the said Town of Harriston to guarantee payment of the principal of and the interest on the said bonds;

And whereas on the 15th day of December, 1933, the Municipal Council of the said Corporation of the Town of Harriston did, with the assent of the electors of the said Town of Harriston, entitled to vote on money By-laws, unanimously pass By-law number 646 of the Town of Harriston authorizing the Corporation of the Town of Harriston to guarantee the payment of principal of and interest on such bonds.

Now this Agreement witnesseth that in consideration of the mutual covenants and agreements hereinafter contained, the said Parties hereto mutually covenant and agree to and with each other in manner following:

1. The Party of the First Part agrees to carry on the said business for a period of twenty years from the date of the issuance of the bonds and to employ an average of at least fifty persons.

2. The said Party of the First Part agrees to execute and deliver a first real estate Mortgage upon the said premises, factory, plant and machinery in favour of a trustee for the holder of said bonds to secure Thirty-five Thousand Dollars (\$35,000.00) of five per cent. (5%) bonds of the Party of the First Part, such bonds to bear interest at the rate of five per cent. (5%) per annum payable semi-annually and be repayable in twenty annual instalments during the twenty years next after the time of issue thereof, the respective amounts of principal and interest payable in each year to be as shown in Schedule "A" hereto, such Mortgage to be the usual Mortgage for protection of bond holders, and to be in form satisfactory to the Party of the Second Part and its Solicitors, and specifically to contain a clause that in the event of the Party of the First Part making default in the payment of principal or interest to the bond holders, and the Party of the Second Part being required to pay pursuant to any guarantee of the said bond, then the Party of the Second Part shall be subrogated to the rights of the bond holders for any payment so made, and when so subrogated, the trustee so appointed shall become trustee for the said Party of the Second Part.

3. The Party of the First Part covenants and agrees to keep the said factory, plant and machinery insured in favour of the Party of the Second Part or such trustee for bond holders, to an amount at least equal to the amount remaining due to its bond holders until the said bonds have been fully paid.

4. The Party of the First Part covenants and agrees that the full proceeds from the sale of the bonds shall be applied firstly in payment of the costs and expenses of such issue, secondly in paying the balance due Mrs. Marion Dale on the purchase price of its plant at Harriston amounting to about \$7,000.00 and thirdly in reducing the indebtedness to the Bank

and

and will satisfy the said Party of the second Part by proper evidence that there are no liens, charges or encumbrances of any kind against the said plant, and the said first Mortgage is a first charge and lien upon the said factory, plant and premises of the said Party of the First Part.

5. The Party of the First Part further covenants and agrees with the said Party of the Second Part that it will pay all expenses of drawing and advertising, the submission and passing of the By-law and all documents and agreements thereunder.

6. The said Party of the Second Part agrees that it will unconditionally guarantee, as to both principal and interest, the Thirty-five Thousand Dollars (\$35,000.00) first Mortgage five per cent. (5%) bonds of the said Party of the First Part and to be secured by a first Real Estate Mortgage upon the lands, factory, plant and machinery of the said Party of the First Part as hereinbefore set forth, and to be secured as hereinbefore set forth on the usual form of Mortgage for securing bonds of a Company in favour of such trustee as may be appointed for the purpose of taking such Mortgage.

7. It is further agreed that this agreement shall not take effect or be binding on either of the Parties hereto until a bill validating the by-law shall have received its Royal Assent.

8. It is further agreed that the provisions of this agreement shall enure for the benefit of and be binding not only on the Parties hereto, but their respective successors and assigns.

In witness whereof the said Parties have hereunto set their hands and the seals of their respective officers authorized for the said purpose the day and year first above written.

SIGNED, SEALED AND DELIVERED

ROYAL STERLING PRODUCTS, LIMITED

In the presence of

GEO. WALKEY,  
*President.*

A. S. WHALEY.

J. H. SHANNON,  
*Secretary.*  
(SEAL)

A. H. GARDINER.

THE MUNICIPAL CORPORATION OF THE  
TOWN OF HARRISTON  
A. B. WHETSTONE,  
*Mayor.*  
W. MONTGOMERY,  
*Clerk.*  
(SEAL)

## CHAPTER 79.

An Act respecting The Industrial Mortgage and  
Trust Company and The East Lambton  
Farmers' Loan and Savings Company.

*Assented to April 3rd, 1934.*

**W**HEREAS The Industrial Mortgage and Trust Company Preamble.  
and The East Lambton Farmers' Loan and Savings  
Company have by their petition represented that under an  
agreement dated the 2nd day of December, 1933, made  
between the said companies, The East Lambton Farmers' Loan  
and Savings Company has agreed to sell and The Industrial  
Mortgage and Trust Company has agreed to purchase the  
entire business, assets, rights, credits, effects, properties, good  
will and undertaking of The East Lambton Farmers' Loan and  
Savings Company under the terms set out in the said agree-  
ment, and by the said petition have prayed that an Act may  
be passed validating, legalizing and confirming the said  
agreement and authorizing and empowering the said com-  
panies to carry out, do and perform the things provided by  
the said agreement; and whereas it is expedient to grant the  
prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** This Act may be cited as *The Industrial Mortgage and* Short title.  
*Trust Company Act, 1934.*

**2.** The agreement made between The Industrial Mortgage Agreement confirmed  
and Trust Company and The East Lambton Farmers' Loan and  
Savings Company dated the 2nd day of December, 1933, as  
set out in the schedule hereto is hereby confirmed and ratified  
and declared to be legal, valid and binding upon the said  
companies and the shareholders of each of them, and the said  
companies are and each of them is hereby authorized and  
empowered to do all acts necessary for the full and proper  
carrying out of the provisions of the said agreement.

**3.** From and after the coming into force of this Act the Vesting of assets of East Lambton Company  
undertaking and assets of The East Lambton Farmers' Loan  
and

and Savings Company are declared to be vested in The Industrial Mortgage and Trust Company without any further conveyance, and The Industrial Mortgage and Trust Company shall be responsible for the liabilities of The East Lambton Farmers' Loan and Savings Company to the extent set forth in the said agreement.

Dissolution  
of East  
Lambton  
Company.

4. The East Lambton Farmers' Loan and Savings Company is declared to be dissolved as of the date of the passing of this Act, except as may be necessary to give full effect to the said agreement.

How title  
in assets of  
East  
Lambton  
Company to  
be  
evidenced.

5. A copy of the said agreement duly compared and sworn to may be registered in the general register of any registry office in any registry division or in any land titles office of the Province of Ontario and, if this Act and the said registration are recited in any deed, conveyance, bill of sale, mortgage, chattel mortgage, assignment of mortgage or chattel mortgage, certificate of discharge of mortgage or chattel mortgage, assurance, lease, bond, release, discharge, power of attorney, or any other conveyance which it may be necessary for The Industrial Mortgage and Trust Company to execute to carry out the terms of the said agreement, it shall be sufficient evidence for all purposes of the transfer of title from The East Lambton Farmers' Loan and Savings Company to The Industrial Mortgage and Trust Company.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

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## SCHEDULE

This Agreement made this 2nd day of December A.D., 1933.

BETWEEN:

THE EAST LAMBTON FARMERS' LOAN AND SAVINGS  
COMPANY (hereinafter called the "East Lambton"),  
of the first part,

—and—

THE INDUSTRIAL MORTGAGE AND TRUST COMPANY  
(hereinafter called the "Industrial"),  
of the second part.

Whereas the Industrial has agreed to purchase and take over all the assets, goodwill and undertaking of the East Lambton upon the terms and conditions hereinafter set forth.

Now this Indenture witnesseth that in consideration of the mutual covenants and agreements herein contained, and of the considerations hereinafter set forth, the Parties hereto agree with each other as follows:

## PART I

1. The East Lambton agrees to sell, and sells, to the Industrial, and the Industrial agrees to purchase, and purchases, the entire business, assets, rights, credits, effects and property, goodwill and undertaking of the East Lambton, including the right to use the name of East Lambton in connection with the business so purchased, and to represent the Industrial as carrying on such business in continuation of the East Lambton business and in succession thereto, and to use the words "formerly the East Lambton Farmers' Loan and Savings Company" or any other words indicating that the business is carried on in continuation of or in succession to the East Lambton, for the consideration hereinafter set out.

2. The consideration for the sale hereby made shall be: (a) The assumption by the Industrial of the liabilities of the East Lambton to the creditors of the East Lambton, and the Industrial shall pay and satisfy such liabilities in due course, and (b) The payment to the shareholders of the East Lambton of such sum of money as may be realized in accordance with the clauses hereinafter set out in Part II hereof, which payment is to be made in the manner set out in Part III hereof.

3. The Industrial shall accept such title to the properties, mortgages and other assets hereby agreed to be sold, and sold, as the East Lambton possesses.

4. Any right of action hereby assigned or transferred by the East Lambton to the Industrial may be exercised or enforced, and any proceedings which may have been commenced by the East Lambton in connection therewith at the date of ratification of this Agreement may be continued in the name of the Industrial or in the name of the East Lambton for the benefit of the Industrial.

5. This Agreement (save Paragraphs 6 and 7 which shall become operative immediately) is entered into provisionally and shall become operative if and when duly ratified by the shareholders of the East Lambton and the Industrial, and validated and confirmed by an Act of the Legislature of the Province of Ontario, but when ratified, validated and confirmed as aforesaid shall be deemed to be operative and effective as and from the 31st day of October, 1933.

6. Pending ratification, immediately upon this Agreement being executed the Industrial may enter into possession of the property and assets of the East Lambton and carry on the business of the East Lambton, and the East Lambton shall deliver possession of the property and assets aforesaid to the Industrial, and the Industrial may thereupon exercise the right hereinbefore set out in Paragraph 1 to represent the Industrial carrying on business in continuation of the East Lambton business.

7. Should this Agreement not become operative by reason of the failure of the ratification, validating or confirmation required by Paragraph 5 hereof the East Lambton shall repay to the Industrial all moneys advanced or expended by it hereunder and all costs, fees, charges, expenses or disbursements paid or incurred by it in connection with the conduct and carrying on of the business of the East Lambton or of or incidental to this Agreement or preliminary thereto, including such fee as the Industrial may fix for the services rendered by it, together with interest thereon at  $6\frac{1}{2}$  per cent. per annum from the date of such advances, payments or disbursements as aforesaid, less the amount received from time to time in respect of the realization of any of the assets of the East Lambton, and upon payment to the Industrial of the amount payable to it under this clause, the Industrial shall deliver up possession of the assets of the East Lambton to the East Lambton.

8. The Industrial shall not be bound to continue the employment of any members of the staff of the East Lambton.

9. The East Lambton hereby constitutes and appoints the Industrial its true and lawful attorney for it and on its behalf and in its name to execute and deliver discharges, assignments of mortgages, deeds, transfers, assignments of bonds, shares or other instruments and other documents,

either

either for the purpose of realizing on the assets of the East Lambton or for the better carrying out of this Agreement, and whether before or after the ratification of this Agreement; and notwithstanding that this Agreement may not receive the ratification and confirmation hereinbefore mentioned in Paragraph 5, the execution of such documents under said power of attorney shall nevertheless have full force and effect.

10. The Parties hereto shall procure this Agreement to be submitted for ratification and confirmation by their respective shareholders at meetings duly called for that purpose forthwith after the execution of these presents, and it is further agreed that application shall be made to the Legislature of the Province of Ontario for the enactment of an Act validating and confirming this Agreement.

## PART II

11. Nothing in Part II of this Agreement shall in any way limit or restrict the effect of Part I of this Agreement, and in particular this Part shall not in any way detract from the title to the assets vested in the Industrial by the provisions of Part I, or limit or restrict the assumption of the liabilities of the East Lambton as set out in said Part I. It is the intention of the Parties hereto that the provisions of this Part II are for the purpose of providing a method of computation of the consideration payable to the shareholders of the East Lambton under the provisions of Section 2 (b) of the said Part I, and that such consideration shall be based on the actual realization of the assets of the East Lambton, and that the profit to the Industrial as a result of the purchase of the East Lambton shall be limited in the manner hereinafter set forth.

12. The Board of the Directors of the East Lambton shall appoint an Advisory Board consisting of three members, with whom the Industrial may consult as to the price and time and method of realization by the Industrial of any of the assets purchased under this Agreement, but the Industrial shall not be bound by the opinion or advice of such Advisory Board, until such time as the amount of the Surplus Assets available for distribution to shareholders shall be ascertained as hereinafter set out. Such Advisory Board, or the continuing members or member thereof, shall have power to appoint any other person or persons in place of any member of the Board resigning, dying or otherwise becoming incapable of acting.

13. The Industrial shall cause to be kept such accounts (hereinafter called for the purposes of this Agreement "the Realization Accounts") as shall show all receipts by way of income or capital that may come from the said assets, and also shall show the following items by way of expenditures or charges.

- (a) The amounts from time to time paid by the Industrial on the liabilities of the East Lambton. When the Industrial takes a deposit account of the East Lambton into its own books of account, such taking shall be deemed a payment of the balance due the depositor at the time of such taking, and it shall be so entered on the Realization Accounts. When a debenture-holder of the East Lambton accepts an obligation of the Industrial in exchange for, or in renewal of, his debenture, such debenture shall be deemed to be paid for the purpose of the Realization Accounts. In addition to such items, the amounts paid in cash upon the liabilities of the East Lambton shall be shown in such accounts.
- (b) Interest accruing due from the 31st day of October, 1933, on the debentures of the East Lambton until such time as the said debentures are paid by the Industrial, either in cash or otherwise, as aforesaid.
- (c) Interest on the deposit liabilities of the East Lambton until the same are paid either in cash or otherwise as aforesaid.

(d)

- (d) All legal costs, charges and expenses incurred or paid by either party hereto in connection with this purchase, or with this Agreement and its carrying out, and also with its ratification and confirmation.
- (e) All municipal and government taxes chargeable in connection with the business, assets or income of the East Lambton, whether due or accruing due at the date of this Agreement, or which may hereafter be levied or imposed with respect to such assets or income, or the business which the Industrial will carry on at the premises of the East Lambton until such time as the assets available for distribution to the shareholders of the East Lambton shall have been determined as hereinafter set out.
- (f) All salaries, fees and other incidental expenses that may be incurred by reason of the Industrial continuing to carry on the business of the East Lambton as a Forest branch of the Industrial, such outlays and expenses not to exceed the amount at which the same are running at the time of this Agreement, provided that if the Industrial shall close such Forest branch, it may charge in lieu of such salaries, fees and other expenses an amount as overhead that will not exceed the amount that it had been paying while operating the Forest branch.
- (g) The taking of an asset of the East Lambton into the books of the Industrial shall be deemed to be a realization and shall be entered in the Realization Accounts accordingly.
- (h) And generally such Realization Accounts shall show all such items of receipts and expenditures as would appear if the East Lambton were continuing to carry on business for the purpose of realizing their assets, and paying their liabilities, and in addition such accounts shall show:
- (i) Interest at the rate of six and one-half ( $6\frac{1}{2}$ ) per cent. per annum on all moneys borrowed by the Industrial for the purpose of making payments upon the liabilities of the East Lambton.
- (j) An allowance to the Industrial at the rate of 1 per cent. per annum calculated upon the total liabilities of the East Lambton to its creditors as of the 31st day of October, 1933, until the 31st day of December, 1935; and thereafter, an allowance to the Industrial at the rate of 1 per cent. per annum of the amount of the liabilities of the East Lambton to its creditors as shown by the Realization Accounts as still unpaid, the allowance for each year to be computed on the amount of such liabilities as at the end of the preceding year. Provided that if the amounts of such allowances shall not aggregate the sum of \$15,000.00 from the date of this Agreement until all the liabilities of the East Lambton have been paid or satisfied, then the Industrial shall be entitled to an additional allowance to bring the aggregate sum up to \$15,000.00, which shall be the minimum amount to which the Industrial shall be entitled hereunder. The Industrial shall be entitled to pay itself the aforesaid allowances out of the said assets at such time or times and in such manner as it sees fit.

14. As and when it appears from the said Realization Accounts that the liabilities to the creditors of the East Lambton have been paid or satisfied, and all other expenses, charges and disbursements, as set out in Paragraph 13, including the sums allowed to the Industrial, have also been paid and satisfied, then the balance of the assets of the East Lambton purchased under this Agreement, which will appear by these Realization Accounts to be still in the hands of the Industrial (hereinafter called the Surplus Assets) shall be dealt with as set out in Part III.

## PART III

DISTRIBUTION OF SURPLUS ASSETS TO SHAREHOLDERS  
OF EAST LAMBTON

15. The Industrial shall proceed to realize upon the Surplus Assets for the benefit of the shareholders of the East Lambton at such times as and when instructed by the Advisory Board, and for such prices and upon such terms as the Advisory Board may fix.

16. The East Lambton shall furnish the Industrial with a list of its shareholders, verified by a statutory declaration of the proper officer, as of the day upon which this Agreement is validated and confirmed by the enactment of an Act of the Legislature of the Province of Ontario, and such list shall set out the names and addresses of the shareholders, together with the number of shares held by each one. From and after such last-mentioned day the East Lambton shall be dissolved except in so far as it is necessary to give full effect to this Agreement, and the shares of the East Lambton shall no longer be transferable. The shareholders of the East Lambton shall deliver up to the Industrial their share certificates and shall receive in lieu thereof a receipt for such certificate and an acknowledgment that the shareholder is a person entitled to share in the distribution of the Surplus Assets under this Agreement. This receipt and acknowledgment shall not be transferable.

17. The Industrial shall distribute the proceeds of the realization of such Surplus Assets rateably among the holders of such receipts and acknowledgments, in the proportion in which they held shares of the East Lambton; such distribution to be made at such times and in such manner as the Advisory Board shall decide. The Industrial shall be entitled to be paid a sum equal to 5 per cent. of the amount available for such distribution to be deducted by it before making the distribution.

18. Nothing in this Part III shall limit or interfere with the absolute right of the Industrial as purchasers and owners of the said assets of the East Lambton to hold, manage, deal with and realize thereon from time to time, in such manner and upon such terms and for such prices as it deems proper until such time as the provisions of Part III become applicable; and thereafter in so far as the Industrial shall act upon the instructions of the Advisory Board it shall not be responsible in any way to the shareholders of the East Lambton as to the prices, terms, or conditions of the sale of any of the Surplus Assets.

In witness whereof the Parties hereto have hereunto set their Corporate Seals.

SIGNED, SEALED AND DELIVERED  
in the presence of

HELEN M. DOUGLAS  
As to signatures of  
John N. Douglas and  
Duncan Whyte.

THE EAST LAMBTON FARMERS' LOAN AND  
SAVINGS COMPANY.  
JOHN N. DOUGLAS, *President*.  
DUNCAN WHYTE, *Manager*.

AUDREY HAYWARD  
As to signatures of  
John Cowan and  
W. R. Paul.

THE INDUSTRIAL MORTGAGE AND TRUST  
COMPANY.  
JOHN COWAN, *President*.  
W. R. PAUL, *Manager*.

## CHAPTER 80.

## An Act to incorporate the Kenora Young Men's Christian Association.

*Assented to April 3rd, 1934.*

**W**HEREAS the Kenora Young Men's Christian Association has been carrying on its work for several years and it has been deemed advisable that the said association shall become an incorporated body, and certain of the members of the said association have prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Kenora Young Men's Christian Association Act, 1934.* Short title.

**2.** Dr. J. P. Paton, Dr. W. J. Gunn, H. H. Tate, G. M. Rioch, H. M. Brown, G. Geddes, J. P. Earngey, A. T. Fife, E. Appleton, F. Edwards, and such other persons as are now members of the Kenora Young Men's Christian Association and also all others who shall hereafter become members of the corporate body hereby created are hereby constituted a body corporate and politic under the name of the "Kenora Young Men's Christian Association," hereinafter called the "association." Incorporation.

**3.** All property real and personal now belonging to or held in trust for the Kenora Young Men's Christian Association shall henceforth be vested in the association to be held, used and administered subject to the provisions of this Act in accordance with the constitution and by-laws adopted or to be adopted by the association as the same may be added to or repealed according to the provisions of the said constitution and by-laws. Vesting of property.

**4.** All property vested by this Act in the association shall remain liable for the payment or satisfaction of any debts or any obligations heretofore contracted or incurred in respect Property liable for existing debts.

thereto

thereto to the same extent as it would have been liable therefor had this Act not been passed.

Power to  
acquire and  
dispose of  
real estate.

5. The said association shall have power to acquire and hold in the town of Kenora and the vicinity thereof any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; Provided that no land at any time acquired by the association and not required for its actual use and occupation, or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Proviso.

Provisional  
directors.

6.—(1) The provisional directors of the association shall be the said J. P. Paton, W. J. Gunn, H. H. Tate, G. M. Rioch, H. M. Brown, G. Geddes, J. P. Earngey, A. T. Fife, E. Appleton and F. Edwards who shall hold office until the first annual general meeting of the members of the association hereby incorporated, which shall be held not later than the 1st day of June, 1934.

Provisional  
constitution  
and by-laws.

(2) It shall be the duty of the provisional directors to adopt a provisional constitution and by-laws of the association and submit the same to the first annual general meeting of the members of the association for their consideration and confirmation, and the said provisional constitution and by-laws when so confirmed or as the same may be varied and amended at the said meeting shall be the constitution and by-laws of the association subject to any addition to, amendment or variation of or substitution for the same as may afterwards be made as provided for therein.

First  
directors.

(3) At the said first annual general meeting the directors of the association shall be elected as provided for in the provisional constitution and by-laws, and the directors so elected shall hold office in accordance with the constitution and by-laws as finally confirmed and adopted at such meeting.

Copies of  
by-laws, etc.,  
to be sent to  
members.

(4) The provisional directors shall furnish each member of the association with a copy of the provisional constitution and by-laws at least fourteen days prior to the date upon which the said first annual general meeting is to be held and shall at the same time give notice of such meeting to the members.

One  
director to be  
appointed  
by town  
council.

(5) The constitution and by-laws of the association shall provide that one of the directors of the association shall be

such

such person, resident in the town of Kenora as the council of the said town may appoint to hold office for the same term as the other directors, and the appointment to any vacancy in the office of such director and the appointment of his successor shall be vested in the said council.

7. The officers of the provisional board of directors of the association shall be the officers of the said association and shall retain their respective offices until others shall be elected in their places, under the constitution and by-laws of the association. Officers and directors.

8. The object of the said association shall be the spiritual, mental, social and physical improvement of young men and boys by the maintenance and support of meetings, lectures, reading, and recreation rooms, libraries, gymnasias, athletic grounds, summer camps, aquatic facilities, dormitories, lunch rooms, and such other means as may from time to time be determined upon, and to establish, maintain and operate branch associations in the town of Kenora and the vicinity thereof. The said association shall have the power to make all or part of its facilities and equipment available for use by young women and girls and by such community organizations as may have as their object the general good of the citizens of the town upon such terms and conditions as may be determined by the association. Objects of association.

9. The buildings, lands, equipment and undertaking of or used by the said association so long as and to the extent to which they are occupied by, used and carried on for the purpose of the said association as set forth in section 8 are declared to be exempted from taxation except for local improvements and school purposes and the assessment of the lands and buildings so used shall be fixed at \$15,000. The council of the town of Kenora shall also have power at any time to reduce such fixed assessment to such figure as they may deem in the best interests of the town, upon the buildings, lands, equipment and undertaking of or used by the said association; provided that any by-law for the purpose of effecting such reduction shall before the same is finally passed have received the assent of the electors of the said town qualified to vote on money by-laws. Exemption from taxation.

10. The said association shall have power to borrow money for its purposes upon its credit and to mortgage, hypothecate or pledge any of its property real and personal as security for any loan. Fixed assessment.

11. The association shall have power to establish an endowment fund or funds for the purpose of promoting and Reduction of fixed assessment.

extending Borrowing powers.

extending its aims and objects and in furtherance of such purpose to obtain, set aside and hold subscriptions, donations, gifts and bequests under such regulations and conditions in respect thereto as may from time to time be decided upon by the board of directors.

Loaning.

**12.** The said association shall have power to lend money upon the security of real estate and to invest and reinvest any of its funds and moneys in any debentures of municipal or public school districts or corporations, Dominion or provincial debentures, bonds, stocks, or in Dominion or provincial securities, or in any security the payment of which is guaranteed by the Dominion of Canada or any province thereof, and for all purposes of any loan or investment it shall have all such rights and remedies for collection, enforcement or repayment thereof as any individual or corporation would have by law in the premises.

Commence-  
ment of Act.

**13.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 81.

## An Act respecting the City of Kingston.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the city of Kingston has Preamble.  
by its petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is deemed  
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The City of Kingston Act, 1934.* Short title.

2.—(1) The acquisition by the said corporation from The Acquisition  
of factory  
property  
confirmed.  
Dominion Textile Company Limited of the lands, mills,  
buildings, machinery, easements, lots, rights-of-way, privileges,  
appendages, franchises and appurtenances and other property  
formerly owned or enjoyed by The Dominion Textile Company  
Limited described in the conveyance to the said corporation  
by The Dominion Textile Company Limited bearing date the  
24th day of April, 1931, and the leasehold water lot described  
in a certain indenture bearing date the 12th day of November,  
1926, between His Majesty the King and The Dominion  
Textile Company Limited is hereby confirmed and declared  
to have been since the 24th day of April, 1931, legal, valid and  
binding upon the said corporation and the ratepayers thereof  
and upon The Dominion Textile Company Limited and its  
successors and assigns.

(2) By-law number 11, 1931, of the said corporation to By-law  
No. 11 (1931)  
and  
debentures  
confirmed.  
borrow upon debentures the sum of \$75,000 to pay for the  
lands, properties and rights referred to in subsection 1 and  
all debentures issued thereunder are hereby confirmed and  
declared to be legal, valid and binding upon the said corporation  
and the ratepayers thereof.

(3) By-law number 14, 1931, of the said corporation to By-law  
No. 14 (1931)  
and  
agreement  
confirmed.  
confirm an agreement bearing date the 4th day of February,  
1931, between the said corporation and Hield Brothers  
Limited, providing for the leasing and granting of options to

purchase

purchase to Hield Brothers Limited of the property in the city of Kingston known as The Dominion Textile Company property and further providing as therein set forth, and the said agreement are and each of them is hereby confirmed and declared to have been since the respective dates thereof legal, valid and binding upon the said corporation and the ratepayers thereof and upon Hield Brothers Limited its successors and assigns.

Lease to  
Hield  
Brothers  
Limited  
confirmed.

(4) The indenture bearing date the 1st day of May, 1931, between the said corporation and Hield Brothers Limited providing for a lease of the property, assets and rights therein described and an option to purchase the same and otherwise providing as therein set forth and the further agreement bearing date the 20th day of September, 1933, between the same parties with respect to insurance against fire on the buildings erected on the lands described in the said indenture are and each of them is hereby confirmed and declared to have been from the respective dates thereof legal, valid and binding upon the said corporation and the ratepayers thereof and upon Hield Brothers Limited its successors and assigns.

By-law  
No. 13 (1931)  
for fixed  
assessment  
to Hield  
Brothers  
Limited  
confirmed.

(5) By-law number 13, 1931, of the said corporation for granting a fixed assessment to Hield Brothers Limited is hereby confirmed and declared to have been since the 25th day of March, 1931, legal, valid and binding upon the said corporation and the ratepayers thereof, provided that said fixed assessment shall not apply to or in any way affect taxation for school purposes or local improvements, notwithstanding anything contained in the said by-law or in the agreement referred to in subsection 3.

Amendment  
of lease to  
Hield  
Brothers  
Limited.

3. The indenture referred to in subsection 4 of section 2 shall be read and construed as if the same had not omitted therefrom but had also contained such provisions for the right of option to purchase by Hield Brothers Limited its successors and assigns during the further term of five years provided for in the said indenture as are contained in paragraph 3 of the agreement referred to in subsection 3 of section 2.

Power of  
city  
corporation  
to carry out  
arrange-  
ments with  
Hield  
Brothers  
Limited.

4. The said corporation is and is declared to have been authorized and empowered to execute all documents and do all things to carry out fully the provisions of this Act and of the said indenture and agreement referred to in subsections 3 and 4 of section 2.

Application  
of rentals  
and proceeds  
of sale from  
Hield  
Brothers  
Limited.

5. All moneys realized and received by the said corporation from the rental or sale of any or all of the said property referred to in subsection 1 of section 2 shall first be applied in or towards redemption and payment of the said debentures

and

and interest thereon and shall not be used or applied for any other purpose until the said debentures and interest thereon shall have been fully redeemed and paid, but Hield Brothers Limited its successors and assigns shall not be bound or concerned to see to the application of such moneys or any part thereof.

**6.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commence-</sup>  
<sup>ment of Act.</sup>

## CHAPTER 82.

## An Act respecting the City of London.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1934*.

Authority to issue debentures for \$25,000 for university purposes.

2. The corporation of the city of London may pass a by-law to borrow, and may borrow, a sum not exceeding \$25,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five and one-half per centum per annum as the council of the said corporation may determine, to provide moneys to pay a grant to the University of Western Ontario to assist in the erection of a library building for the said university, without submitting the by-law to the electors of the said city for their assent.

Proceedings as to Richmond Street bridge validated.

3. By-law No. 10c—9818-11 of the said Corporation providing for the erection of the Richmond Street bridge, and the proceedings taken thereunder, are hereby declared to be legal, valid and binding, and the said corporation may charge the lands of the petitioners for the said bridge with the owners' portion of the cost of the same.

Creation of endowment funds for hospital purposes.

4. The said corporation may by by-law create a fund to be known as the Victoria Hospital Endowment Fund and may also by by-law create a fund to be known as the War Memorial Children's Hospital Endowment Fund, and the said endowment funds shall be under the control of the council of the said corporation and the treasurer for the time being of the said corporation.

Investment of capital of endowment funds.

5. The capital of all moneys received, by bequests, gifts, or otherwise, by the said corporation and the Board of Hospital

Trustees

Trustees of the city of London or either of them for the said endowment funds, or either of them, shall not be used for any purpose, but the same shall be invested from time to time in investments in which trustees are authorized to invest, or in city of London debentures.

6. The income from the Victoria Hospital Endowment Fund shall be used by the said corporation, or paid to the said board of hospital trustees, for defraying the operating expenses or other expenditure in connection with Victoria Hospital as the said board may, from time to time, determine, and any portion of the annual income not so used shall be added to the capital of the said endowment fund and the said board, from time to time, shall determine as to the expenditure of the income aforesaid, or as to the adding of the same, or any portion thereof, to the capital of the said fund.

Application of income from endowment funds of Victoria Hospital.

7. The income from the War Memorial Children's Hospital Endowment Fund shall be used by the said corporation, or paid to the said board of hospital trustees, for defraying the annual operating costs of the said War Memorial Children's Hospital (the erection of which as a War Memorial was the result of the efforts of the Women's Committee), or any other expenditure solely in connection with, or for the benefit of, the said hospital, and in the event of any portion of the said annual income not being used for any of the purposes aforesaid, the same shall be added to the capital of the said endowment fund.

Application of income from endowment funds of Children's Hospital.

8. The said corporation may pay, as part of the current ordinary expenditure of the said corporation, to the said board of hospital trustees, the sum of \$13,500 to defray the expense of the new London General Hospital Building Fund Campaign Committee.

Grant to Hospital Board to defray campaign expenses.

9.—(1) All sales of land within the city of London made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of London or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said land so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except

Confirmation of tax sales and conveyances.

taxes

taxes accruing after those for non-payment of which the land was sold.

Pending  
litigation  
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Assent of  
electors not  
requisite.

Rev. Stat.,  
c. 233.

**10.** It shall not be necessary for the said corporation to observe, in respect of the by-law mentioned in section 2 of this Act, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularity  
in form  
not to  
invalidate.

**11.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or the interest thereon.

Commence-  
ment of Act.

**12.** This Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1934.

## CHAPTER 83.

## An Act respecting the Township of McIrvine.

*Assented to April 3rd, 1934.*

**W**HEREAS William P. Pilkey on behalf of himself and Preamble.  
 other owners of lands in the township of McIrvine in  
 the district of Rainy River have by their petition represented  
 that they have entered into an arrangement with the council  
 of the corporation of the said township whereby certain lands  
 in the said township shall be exempted from taxation or shall  
 be subject to a fixed taxation and have prayed that by special  
 legislation authority be granted to carry out such arrangement;  
 and whereas it is expedient to grant the prayer of the said  
 petition;

Therefore, His Majesty, by and with the advice and consent  
 of the Legislative Assembly of the Province of Ontario, enacts  
 as follows:

**1.** This Act may be cited as *The Township of McIrvine Act*, Short title.  
 1934.

**2.** The council of the corporation of the township of Authority  
 McIrvine may pass by-laws and enter into agreements for to grant  
 granting to the owners of lands designated on a plan of survey fixed  
 of part of Indian Reserve No. 1, Rainy Lake, in the said taxation  
 township as laid out on a plan of survey of record in the upon cer-  
 office of Land Titles at the town of Fort Frances as Plan tain lands.  
 S.M. 88, a fixed annual taxation or rate of taxation for muni-  
 cipal purposes upon such lands for so long as they are used  
 and occupied for summer cottage purposes, and any fixed  
 taxation granted by the said council in respect of such lands  
 since the 1st day of January, 1930, is hereby validated and  
 confirmed.

**3.** The council of the said corporation may pass by-laws Authority  
 and enter into agreements for granting to the Rainy Lake Golf to exempt  
 and Country Club Limited, its successors and assigns exemp- Golf Club  
 tion from taxation for municipal purposes upon the lands from  
 leased by the said company from the Superintendent of Indian taxation.  
 Affairs composed of 25.66 acres designated on the plan referred

to in section 2 for so long as the said lands are used and occupied for the purposes of golf.

Assent of  
electors  
not  
necessary.

4. It shall not be necessary for the validity of any such by-law or agreement that it be submitted to or receive the assent of any of the electors of the said township.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 84.

## An Act respecting the Mount McKay and Kakabeka Falls Railway Company.

*Assented to April 3rd, 1934.*

**W**HEREAS the Mount McKay and Kakabeka Falls Preamble.  
 Railway Company has by its petition prayed for an extension of the time within which it may operate by steam and may complete its railway as provided in the Act incorporating the said company, being chapter 82 of the Statutes of Ontario, 1904, and amending Acts, and otherwise in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** Section 1 of the Act passed in the twentieth year of the 1930,  
 reign of His Majesty King George the Fifth, chaptered 110, c. 110, s. 1,  
 is repealed, and the following substituted therefor: re-enacted.

- 1 Section 2 of the Act passed in the fourth year of the 1904,  
 reign of His late Majesty King Edward the Seventh, c. 82, s. 2,  
 chaptered 82, is amended by adding thereto the amended.  
 following words: Provided that the said company may operate the said railway and any authorized extensions thereof by steam, for a period of eight years from April 1st, 1934, except on Neebing Avenue, north of Montreal Street, but such right to operate by steam shall then absolutely cease.

**2** Section 3 of the Act passed in the twentieth year of the 1930,  
 reign of His Majesty King George the Fifth, chaptered 110, c. 110, s. 3,  
 is repealed repealed.

**3.** Notwithstanding anything contained in *The Railway Act*, Time for  
 the railway authorized by the said Act, passed in the fourth completion  
 year of the reign of His late Majesty King Edward the Seventh, of railway  
 chaptered 82, as amended by the Act passed in the eighth year extended.  
 of His late Majesty's reign, chaptered 131, and as further

amended

amended by the Act passed in the second year of the reign of His Majesty King George the Fifth, chaptered 143, and as further amended by the Act passed in the sixth year of the reign of His Majesty King George the Fifth, chaptered 104, and as further amended by an Act passed in the tenth year of the reign of His Majesty King George the Fifth, chaptered 151, and as further amended by an Act passed in the twelfth year of the reign of His Majesty King George the Fifth, chaptered 142, and as further amended by an Act passed in the sixteenth year of the reign of His Majesty King George the Fifth, chaptered 111, and as further amended by an Act passed in the twentieth year of the reign of His Majesty King George the Fifth, chaptered 110, and by this Act, shall be completed within eight years from the passing of this Act, and if the railway is not completed and put in operation within eight years from the passing of this Act, then the powers granted to the company by the said Acts shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Existing  
rights,  
powers and  
agreements  
not affected.

4. Subject to the provisions of this Act, all rights, powers, authorities and privileges conferred upon the said company by the said Acts, or by any general Act, are hereby declared to be in force, and nothing in this Act contained shall in any way be deemed to affect any agreement heretofore entered into between the company and any municipal corporation or any other person or persons.

Short title.

5. This Act may be cited as *The Mount McKay and Kakabeka Falls Railway Act, 1934*.

Commence-  
ment of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 85.

## An Act respecting the Township of North York.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the township of North Preamble.  
York has by its petition prayed for special legislation  
in regard to the matters hereinafter set forth; and whereas it  
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

**1.** This Act may be cited as *The Township of North York* Short title.  
*Act, 1934.*

**2.—(1)** Notwithstanding the provisions of *The Assessment* Court of  
*Act*, the council of the said corporation may pass a by-law to Revision.  
provide that the court of revision for the municipality shall Rev. Stat.,  
thereafter consist of three members who shall be appointed c. 238.  
by the council. Upon the passing of the said by-law the  
following subsections of this section shall apply.

**(2)** Upon the appointment of the first members of the court Term of  
of revision the council shall designate one member to serve office.  
for one year, one member to serve for two years and one  
member to serve for three years, such term to be deemed to  
commence from the first day of the year in which such member  
is appointed. Each member appointed thereafter shall be  
appointed to serve for three years from the first day of the  
year in which he is appointed. Each member of the said  
court shall hold office for the term for which he was appointed  
and until his successor is appointed.

**(3)** In case any member of the court of revision is unable to Vacancies.  
act through illness or absence from Ontario or any other cause  
the council may appoint another person to the court of revision  
in his place during such inability to act. Upon the death or  
resignation of any member the council shall immediately  
thereafter appoint a successor to complete the unexpired term.

## Quorum.

(4) Two members of the court of revision shall be a quorum and a majority of the members may decide all questions before the court, but no member shall act when an appeal is being heard respecting any property in which he is directly or indirectly interested.

## Remuneration.

(5) Each member of the court of revision shall be paid such sum for his services as the council may by by-law or resolution determine.

## Disqualification.

(6) No member of the council and no officer or employee of the corporation shall be a member of the court of revision.

Application of  
Rev. Stat.,  
c. 238.

(7) All the provisions of *The Assessment Act* relating to a court of revision shall apply to the court of revision appointed under this section, except where inconsistent therewith.

Confirmation of  
tax sales and  
conveyances.

**3.—**(1) All sales of land within the township of North York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of North York or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the said land was sold.

Pending  
litigation not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-law  
No. 1858  
and  
debentures  
confirmed.

**4.** By-law number 1858 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$23,640 upon debentures to pay for the construction of the widening of part of Avenue Road to 86 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932*.

5. By-law number 1861 of the said corporation passed on the 19th day of June, 1933, and authorizing the borrowing of \$151,525 upon debentures to pay for the construction of the widening of Yonge Street from Old Yonge Street to 50th Avenue East in the said township to a width of 100 feet is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof, and the said debentures shall bear the certificate of the Ontario Municipal Board in form provided by section 85 of *The Ontario Municipal Board Act, 1932.*

By-law  
No. 1861  
and  
debentures  
confirmed.

1932,  
c. 27, s. 85.

6. By-law number 1929 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$10,335 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

By-law  
No. 1929  
and  
debentures  
confirmed.

7. By-law number 1930 of the said corporation passed on the 27th day of November, 1933, and authorizing the borrowing of \$2,455 upon debentures to pay for the construction of certain watermains in water area No. 1 of the said township is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

By-law  
No. 1930  
and  
debentures  
confirmed.

8. Any surplus which may have arisen or arise from the sale of any debentures heretofore or hereafter issued by the corporation or which may remain after any such debentures have been fully paid, may be applied and used,

Application  
of debenture  
surpluses.

- (a) to meet the principal due from year to year or in any year upon the issue of debentures in respect of which such surplus arose; or
- (b) if unrequired for the purpose mentioned in clause a, to meet the principal due from year to year or in any year upon any other issue of debentures; or
- (c) if approved by the Ontario Municipal Board, for the purposes of the general funds of the corporation.

9. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934.

Commence-  
ment of Act.

## CHAPTER 86.

## An Act respecting the Town of Ojibway.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the town of Ojibway has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows.

Short title.

**1.** This Act may be cited as *The Town of Ojibway Act, 1934.*

1913,  
c. 108, s. 3,  
subs. 3,  
re-enacted.

**2.**—(1) Subsection 3 of section 3 of the Act passed in the year 1913 and chaptered 108 as amended by subsequent Acts relating to the said town is repealed and the following substituted therefor:

Appoint-  
ment of  
Mayor.

(3) The council shall on the second Monday in January in every year subsequent to the year 1934, appoint one of themselves mayor, to hold office for the current year until his successor is appointed, and has taken the declaration of office.

1913,  
c. 108, s. 3,  
subs. 4,  
amended.

(2) Subsection 4 of the said section 3, as amended by subsequent Acts relating to the said town, is further amended by inserting after the figures "1934" in the second line, the words "and thereafter from year to year."

1913,  
c. 108, s. 3,  
subs. 6,  
amended.

(3) Subsection 6 of the said section 3 is amended by striking out the words "prior to the 31st day of December, 1916," where they occur in the first and second lines.

1913,  
c. 108, s. 4,  
re-enacted.

(4) Section 4 of the said Act, as amended by subsequent Acts relating to the said town, is repealed and the following substituted therefor:

County  
council  
representa-  
tion.

**4.** So long as the said town remains part of the county of Essex for municipal purposes it shall be represented in the council of the said county by the mayor only

who

who as a member of such county council shall possess and exercise the same rights and powers as the reeve of a municipality.

(5) Section 5 of the said Act, as amended by subsequent Acts relating to the said town, is further amended by striking out the words and figures "before the 31st day of December, 1934," in the first and second lines. <sup>1913, c. 108, s. 5, amended.</sup>

**3.**—(1) During the period of ten years commencing with the 1st day of January, 1935, the equalized assessment of all property in the town of Ojibway which is rateable for the purposes of the county of Essex shall in each year of the said period be fixed or determined as follows: <sup>Equalized assessment.</sup>

- (a) The equalized assessment of all buildings, structures and assessable fixed machinery now erected, placed, affixed and existing on any land in the said town and of all other rateable property in the said town except land, is fixed at the aggregate sum of \$300,000; <sup>Existing buildings.</sup>
- (b) The equalized assessment of all land in the said town, exclusive of any buildings, structures and assessable fixed machinery now erected, placed, affixed and existing on any of such land, shall be fixed and determined by comparison with and on the same basis of valuation as other lands in the said county adjacent to the said town which are similar in character are valued and equalized for county purposes; <sup>Land.</sup>
- (c) The equalized assessment of all buildings, structures and assessable fixed machinery hereafter erected, placed or affixed during the said period of ten years on any land in the said town shall be fixed and determined in accordance with the provisions of *The Assessment Act*; <sup>New buildings.</sup>
- (d) If during the said period of ten years industrial activity in the said town arises so that any of the buildings, structures or fixed assessable machinery referred to in clause *a* or any other building or structure erected or placed upon any land in the said town becomes occupied and used for manufacturing purposes, then notwithstanding the provisions of this section, the lands upon which any such building, erection or fixed assessable machinery is erected, placed or affixed and any such building, erection or fixed assessable machinery which has so become occupied and used shall be equalized for county purposes according to the provisions of *The Assessment Act*. <sup>Accretion to equalization.</sup>

Rev. Stat.,  
c. 238.

(2) Subject as in subsection 1 provided, the equalized assessment of the said town shall for the purposes of the said county be fixed and determined in accordance with *The Assessment Act*.

County  
by-law  
number 668  
repealed.

4. By-law number 668 of the corporation of the county of Essex confirmed by section 2 of *The Town of Ojibway Act, 1929*, shall after the 31st day of December, 1934, cease to have any force or effect and from and after the said date is hereby repealed.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 87.

## An Act respecting the Town of Orillia.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the town of Orillia has by Preamble.  
its petition prayed for special legislation in respect of  
the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The Town of Orillia Act, 1934.* Short title.

2. All the powers now possessed by the corporation of the town of Orillia as to the acquisition of lands and water powers and the construction, purchase, maintenance and operation of works, plant and equipment of all kinds for the development of water powers and for the generation and transmission of electrical power or energy shall be, and are hereby extended and enlarged so as to authorize the said corporation to exercise such powers in the townships of Minden, Anson, Lutterworth, Digby and Dalton.

Authority to develop, generate and transmit electric power in five townships.

3. The said town of Orillia is further authorized and empowered to sell electrical power or energy, outside of the area for which it is now so authorized, to The Hydro-Electric Power Commission of Ontario.

Authority to sell power to The Hydro-Electric Power Commission of Ontario.

4. If and when the same are completed, the said town shall, from works constructed under section 2, supply to the said commission electrical power or energy up to three hundred horsepower as required from time to time by the said Commission for purposes under *The Power Commission Act.*

Orillia shall supply up to 300 h.p. to Commission.

5. If the said town and commission are unable to agree upon the price of power or energy to be supplied pursuant to the last preceding section, then such price shall be fixed by the Lieutenant-Governor in Council or any board or other body to which such question may be referred by the Lieutenant-Governor in Council.

If unable to agree price to be fixed.

Approval  
required

6.—(1) Before the said town commences the construction of any works authorized by section 2, a by-law authorizing the undertaking shall be submitted to the electors of the town entitled to vote on money by-laws, and shall be approved by a majority of the electors voting thereon; the said by-law authorizing the undertaking may be combined with a by-law authorizing debentures therefor; provided that at least one week before any such by-law is voted upon by its electors, the town shall have received a general approval of the undertaking by The Ontario Municipal Board.

(2) Nothing in subsection 1 contained shall require the said town to obtain the assent of the said electors or the approval of the said Board to the acquisition of the real property and other rights required for the development of the water power at Workman's Falls, if the cost of such acquisition is not to be provided by an issue of debentures of the said town.

Authority  
to issue  
debentures  
for electrical  
power  
purposes.

Rev. Stat.,  
c. 233.

7. Subject to the approval of the electors of the said town and otherwise subject also to the provisions of *The Municipal Act*, the said corporation is hereby authorized and empowered to borrow from time to time upon debentures of the corporation such money as may be required for the purpose of making extensions or additions to, or improvements in, its works, plant, and equipment for the development of water powers and the generation, transmission, and distribution of electrical power or energy, and may upon any future issue of debentures made for the borrowing of money to acquire new or additional works, plant or equipment secure such debentures by a charge or lien upon the new or additional works, plant, or equipment to be acquired with the proceeds of such debentures.

Workman's  
Falls power  
develop-  
ment—title.

8. The title of Haliburton Development Company Limited to the water power developed or capable of development at Workman's Falls on the Gull River, being at lot three in the third concession of the township of Minden in the provisional county of Haliburton, is hereby confirmed, and it is hereby declared that the bed of Gull River upon the stretch of such river running through the said lot three and the road allowances, if any, along each bank of the said stretch of the said river, are owned by the said company subject only to the public rights in the dam at this point and in any public highway opened, established, and now in actual use as a public highway

Flooding  
rights at  
Workman's  
Falls.

9. It is further declared that Haliburton Development Company, Limited, or the corporation of the town upon acquiring the title of the said company, shall be entitled to develop the said water power at Workman's Falls to the full capacity of the development possible at this point and to flood

such

such lands as it may be necessary to flood in connection with such development, provided that due compensation is made for any damage suffered by the owners of lands affected by such flooding.

**10.** It shall be lawful for the corporation of the said town to flood any road allowances that may require to be flooded in the full development of the said water power upon condition that a convenient and suitable public highway or highways is or are provided by and at the expense of the said corporation in lieu of any part or parts of the public highways at present opened, established and in actual use that may require to be closed or diverted. Flooding of highways.

**11.**—(1) Should the said town fail to commence the work of developing the said water power at Workman's Falls within six years from the date of the Royal Assent to this Act or fail after the expiration of such six years to proceed with reasonable expedition to the completion of the works necessary to such development, then in either case the said municipality shall be under obligation to sell such water power and all the lands, rights and privileges acquired by it incidental to such water power including works under construction at any reasonable price offered by any person or corporation willing to purchase the same and able and willing to proceed promptly with the development of such water power and such purchaser shall assume the obligation of the said town to furnish power therefrom to The Hydro-Electric Power Commission of Ontario, as provided in this Act. Six years for development.

(2) The price to be paid the said town, the ability and readiness of the proposed purchaser to develop such water power and any other matter in dispute shall be determined by the Ontario Municipal Board, should the purchaser be unable otherwise to satisfy the said town.

**12.** By-law number 519 of the corporation of the township of Rama, by-law number 743 of the corporation of the township of Mara, by-law number 348 of the corporation of the township of Dalton, by-law number 443 of the corporation of the township of Laxton, Digby and Longford, by-law number 620 of the corporation of the township of Lutterworth, by-law number 306 of the corporation of the township of Anson and Hindon and by-law number 543 of the corporation of the township of Minden, are each and all confirmed and declared to be legal, valid, and binding upon each of the said corporations and the ratepayers of them respectively; Provided that nothing in this section or in any by-law herein validated shall, by implication or otherwise, be deemed to By-laws of certain townships confirmed.

empower the said town of Orillia to distribute or sell power in any of the said townships, except to The Hydro-Electric Power Commission of Ontario.

By-law  
No. 1156  
and  
debentures  
confirmed.

**13.** By-law number 1156 of the corporation of the said town passed on the 17th day of June, A.D. 1932, to authorize the purchase of certain lands for an industrial site and to borrow the sum of \$50,000 by the issue of debentures for that purpose and all debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid, and binding upon the said corporation and the ratepayers thereof.

Commence-  
ment of Act.

**14.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 88.

## An Act respecting the City of Oshawa.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the city of Oshawa has Preamble.  
by its petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The City of Oshawa Act, 1934.* Short title.

2. The returns of the collectors' rolls of the corporation Returns of  
collectors'  
rolls  
confirmed.  
of the city of Oshawa for the years 1927, 1928, 1929, 1930, 1931  
and 1932 respectively which were made on the 1st day of  
December, 1933, are and each of them is hereby ratified and  
confirmed as a good and sufficient return thereof, and as having  
been made in accordance with the provisions of *The Assessment* Rev. Stat.,  
c. 238.  
*Act.*

3. The council of the said corporation is hereby authorized Appoint-  
ment of city  
adminis-  
trator.  
and empowered by by-law to appoint and employ a general  
administrative head to be known as the "City Administrator",  
who shall have such general control and management of the  
administration of the city's government and affairs and per-  
form such duties as the council shall by by-law define, limit  
and determine and shall be responsible for the efficient  
administration of all its departments to the extent that he  
shall be given authority and control over the same; and the  
city administrator shall hold office during the pleasure of  
the council and receive such salary as the council by by-law  
shall determine.

4. The assessment roll for the said corporation made in the Assessment  
roll  
confirmed.  
year 1933 for the year 1934 is hereby ratified and confirmed  
and declared to be legal, valid and binding upon the said  
corporation and the ratepayers thereof, and as having been  
made in accordance with the provisions of *The Assessment Act.* Rev. Stat.,  
c. 238.

Election of  
aldermen  
by general  
vote.

5.—(1) The council of the said corporation with the assent of the electors is hereby authorized and empowered to pass a by-law providing for the election of aldermen of the said corporation by general vote of the electors for a period of two years so that one-half of the aldermen shall retire at the end of each year and at the first election under such by-law the five aldermen obtaining the highest number of votes shall hold office for a period of two years and the remaining five shall hold office for one year only, and in either case until their respective successors are elected and take office.

Application  
of  
Rev. Stat.,  
c. 233.

(2) In all other respects the provisions of *The Municipal Act* relating to the election and tenure of office of members of a municipal council shall apply.

Amalgama-  
tion of  
offices of  
treasurer  
and  
collector.

6. The council of the said corporation is hereby authorized and empowered to pass a by-law to merge or amalgamate the offices of the treasurer of the said corporation and of the collector of taxes thereof.

Commence-  
ment of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 89.

## An Act respecting the City of Ottawa.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the city of Ottawa has, Preamble.  
by its petition, prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The City of Ottawa Act, 1934*. Short title.

2.—(1) The corporation of the city of Ottawa may provide, Authority to issue debentures for certain purposes.  
by by-law, for an issue or issues of debentures, payable within  
ten years from their date, and not exceeding the following  
amounts for the purposes specified:

- (a) \$150,000, to provide for the repavement of the track  
allowance of the Ottawa Electric Railway Company  
on certain streets;
- (b) \$15,000, to provide for the discount on the sale of the  
debentures authorized by by-laws numbers 7570,  
7594, 7574, 7590, 7592, 7614, 7579, 7577, 7578, 7580,  
7631 of the corporation;
- (c) \$45,000, to provide for the purchase of fire engines  
and fire protection apparatus and equipment;
- (d) \$90,000, to provide for constructing and widening  
the pavements on the following streets: Arlington  
Street between Bronson Street and Bell Street; St.  
Patrick Street between Sussex Street and Dalhousie  
Street; Metcalfe Street between Lisgar Street and  
McLeod Street; and Kent Street between Somerset  
Street and Catherine Street.

(2) One-half of the cost of each pavement authorized by  
clause *d* of subsection 1 shall be specially assessed upon the Assessment for certain pavements.

Rev. Stat.,  
c. 235.

lots abutting directly on such work, in the manner provided by section 20 of *The Local Improvement Act*, and with like authority and in like manner as if such works were works authorized by the said Act.

Authority  
to issue  
debentures  
for other  
certain  
purposes.

3.—(1) The said corporation may provide by by-law for an issue, or issues, of debentures payable within twenty years from their date and not exceeding the following amounts for the purposes specified:

- (a) \$550,000 to provide for the construction of trunk sewers;
- (b) \$115,000 to provide for the corporation's share of the cost of constructing new bridges carrying Sussex Street across the Rideau River;
- (c) \$10,000 to provide for the construction and reconstruction of sewer catch basins.

Proviso  
as to  
bridge  
debentures.

(2) The authority conferred by clause *b* of subsection 1 shall not be exercised, unless and until the Government of Canada and the Government of Ontario, or either of them, have agreed in writing with the said corporation to defray not less than one-half of the cost of the construction of the said bridges.

Assent of  
electors not  
requisite.

4.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2 or 3, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat.,  
c. 233.

Rate of  
debenture  
interest.

(2) Debentures issued under the provisions of any such by-law shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Irregularities  
not to  
invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Tax sales  
and  
conveyances  
confirmed.

5.—(1) All sales of land within the city of Ottawa made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of Ottawa or its treasurer for arrears of taxes in respect to the land so sold, are

hereby

hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Proviso.

Rev. Stat.,  
c. 158.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending  
litigation  
not  
affected.

6. Notwithstanding anything to the contrary contained in *The Municipal Act*, the said corporation may grant out of its current revenues for the year 1934, to Margaret Wilson, widow of the late George H. Wilson, in his lifetime Secretary of the Works Department, a gratuity of \$1,500.

Gratuity  
authorized

7. The council of the said corporation may, by by-law, which shall not require for its validity the assent of the electors qualified to vote on money by-laws, extend for a period of five years, from and including the year 1934, the fixed assessment upon the lands and buildings of the Ottawa Tennis and Bowling Association Limited, which the said council was authorized by section 14 of *The City of Ottawa Act, 1923*, to grant the said Association for a period not exceeding ten years from and including the year 1924.

Fixed  
assessment  
for Tennis  
and Bowling  
Club  
continued.

1923, c. 76.

8. The council of the said corporation may provide by by-law that the owner of any dwelling erected during the year 1934 who is assessed and taxed in respect thereof in 1934 or 1935, shall be entitled to apply to the court of revision for a remission of such part of the taxes for such years payable by him, in respect of such dwelling, as shall be proportionate to the period of time during which such dwelling has remained

Reduction  
of taxes  
on dwellings  
for  
vacancies.

vacant during such years; provided that no such remission shall be granted in respect of school taxes, water rates or local improvement rates, nor in respect of any period of vacancy of less than three months.

Authority  
to license  
non-  
residents  
of Ontario  
who sell  
goods in  
Ottawa.

9.—(1) The council of the said corporation may provide by by-law for licensing all persons, tradesmen, contractors, and salesmen, who being resident outside of Ontario and having no fixed place of business within the city of Ottawa, but who canvass for orders, carry on business, or sell, or offer for sale, goods, wares or merchandise in the said city, and for requiring all such persons, tradesmen, contractors and salesmen to take out a license under the provisions of such by-law and to pay to the said corporation such license fees as may be fixed by such by-law, and to provide that every such person as shall fail to comply with the provisions of such by-law shall be subject to the penalties established by section 508 of *The Municipal Act*, and may be prosecuted for such offence as provided by the said Act.

Rev. Stat.,  
c. 233.

Limitation  
of  
application  
of  
authority.

(2) The provisions of any by-law passed under the authority of subsection 1 shall not apply to any person who is licensed as a transient trader or a hawker or pedlar under any by-law of the said corporation or of the board of commissioners of police of the said city.

Commence-  
ment of Act.

10. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1934.

## CHAPTER 90.

## An Act respecting the City of Port Arthur.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the city of Port Arthur Preamble.  
has by its petition prayed for special legislation in  
respect to the matters hereinafter set forth; and whereas it is  
expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The City of Port Arthur Act*, Short title.  
1934.

2. By-law number 2084 of the said corporation passed on By-law  
No. 2084  
and agree-  
ment relat-  
ing to fixed  
assessment  
for  
Provincial  
Paper  
confirmed.  
the 29th day of January, 1934, and the agreement entered into  
pursuant thereto dated the 30th day of November, 1933, made  
between the Provincial Paper Limited and the said corporation  
granting to the said company a fixed assessment in respect to  
the lands for the period and upon the terms therein set forth  
are, and each of them is, hereby ratified and confirmed and  
declared to be legal, valid and binding upon the said corpora-  
tion, and the ratepayers thereof, and upon Provincial Paper  
Limited, its successors and assigns.

3. The conveyances of the lands in the city of Port Arthur Conveyance  
of certain  
hospital  
lands to  
the city  
confirmed.  
known as Park Lot Number Five on the north side of Dawson  
Street upon which was erected what was known as The Rail-  
way, Marine and General Hospital of Port Arthur made by  
The General Hospital of Port Arthur to the corporation of the  
city of Port Arthur dated the tenth day of January, 1934,  
and by Ambrose Wideman, sole surviving trustee of The  
Railway, Marine and General Hospital of Port Arthur to the  
corporation of the city of Port Arthur dated the thirteenth day  
of December, 1933, are hereby ratified and confirmed and de-  
clared to be good and valid conveyances and that the effect  
thereof shall be to vest the said lands in the said corporation  
free and clear from any trust or limitation in respect of the use  
or sale of such lands and to release and discharge The General

Hospital of Port Arthur from all claims or demands now due or hereafter to become due to the said corporation in connection with the mortgage given by the trustees of The Railway, Marine and General Hospital of Port Arthur to the said corporation and described in said conveyance dated the tenth day of January, 1934.

Separate  
income  
assessment  
roll.

4.—(1) Notwithstanding the provisions of *The Assessment Act* the council of the corporation of the city of Port Arthur may by by-law provide for taking the assessment of income for the purposes of taxation in each year separately from the time for taking the assessment of real property and for taking the same during such time of the year in which the rates of taxation thereof are to be levied as the by-law may provide.

Return of  
roll and  
appeals  
therefrom.

(2) Any such by-law shall provide for the time when the roll for such income assessments shall be returned, for the holding of a court of revision for hearing appeals from any assessment therein in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll, and the time for appealing from the court of revision to the district judge shall be within three days after the decision of the court of revision is given.

Revised  
assessment  
roll.

(3) The assessment of income so made and completed in any year whether or not it is completed by the time provided by the by-law, shall upon its final revision be the assessment of income on which the rate of taxation upon income for such year shall be levied by the council, and the assessment roll thereof with the assessment roll of real property, business and other assessments made for the same year shall when both thereof are finally revised together form the last-revised assessment roll of the whole rateable property within the municipality within the meaning and for the purposes of *The Municipal Act*, *The Assessment Act* and any other general or special Act.

Rev. Stat.  
cc. 233, 238.

Time for  
payment of  
income tax.

(4) The Council may provide that taxation upon income assessments may be made payable at times different from those at which other taxation is made payable.

1884,  
c. 57, s. 5,  
repealed.

5. Section 5 of the Act respecting the town of Port Arthur passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria and chaptered 57, is repealed.

By-law  
No. 2073  
and  
debentures  
confirmed.

6. By-law numbered 2073 of the said corporation passed on the 10th day of October, 1933, authorizing the borrowing of \$3,404.12 by the issue of debentures to pay for certain

house sewer connections therein described and all debentures issued or to be issued under said by-law are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

**7.** This Act shall come into force on the day upon which <sup>Commence-</sup>  
it receives the Royal Assent. <sub>ment of Act.</sub>

## CHAPTER 91.

## An Act to incorporate the Village of Port Sydney.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS George E. Cadieux, Matthew McClure, George Gardiner, all residents of the unincorporated village of Port Sydney in the township of Stephenson, in the district of Muskoka, have by their petition represented that the said village has a resident population of 140 inhabitants or thereabouts, which is steadily increasing; and whereas the population of the said village is largely increased in the summer time by the influx of owners of summer cottages and summer residents, so that the resident population in the summer months is increased to about 600 inhabitants; and whereas the said village is a noted summer resort which attracts large numbers of summer visitors from many parts of Canada and the United States; and whereas the inhabitants of the said village have by their petition represented that they are desirous of becoming incorporated as a village, that there is great difficulty in equalizing the values of village and farm properties in said township which is large and scattered, and that its finances could be better husbanded and used to more equitable advantage, and that its progress, interest and prosperity would be promoted if the said village were incorporated; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Village of Port Sydney Act, 1934.*

Incorporation as a village.

**2.** From and after the holding of the first election under this Act, the inhabitants of the said village of Port Sydney shall be, and they are hereby constituted a corporation and body politic under the name of "The Corporation of the Village of Port Sydney," separate and apart from the township of Stephenson, in which the said village is situate, and shall enjoy and have all the rights, powers and privileges which

could

could have been enjoyed and exercised by the said village of Port Sydney if the same had been incorporated under the provisions of *The Municipal Act*.

Rev. Stat.  
c. 233.

3. The said village shall comprise and consist of all that part of the said township of Stephenson described as follows: <sup>Area composing the village.</sup>

All and singular that certain parcel or tract of land and land covered by water and premises situate, lying and being in the township of Stephenson, district of Muskoka and province of Ontario, consisting of lots 25 and 26 and portion of lot 24 in the fifth concession of the said township; lots 30, 29, 28, 27, 26, 25 and 24 in the sixth concession of the said township, lots 26, 25, 24 and the easterly quarter of lots 23 in the seventh concession of the said township, together with those islands in Mary Lake known as Buckhorn, Rocky, Stewart, Crown and Forrest Islands which said tract may be better known and described as follows: Commencing at the southeasterly angle of lot 26 in the fifth concession of the said township; thence north 20 degrees, 52 minutes west along the easterly limit of said lot fifty chains more or less to the northeast angle of said lot; thence north 69 degrees, 08 minutes east, eighty chains more or less along the blind line, between concession five and six in the said township to the southeasterly angle of lot 30 in the sixth concession of the said township; thence north 20 degrees, 52 minutes west, one hundred and one chains more or less to a point where the production northerly of the easterly limit of said lot 30 would intersect the production easterly of the northerly limits of lots 24, 25, 26 in the seventh concession of the said township; thence south 69 degrees, 08 minutes west, one hundred and forty-five chains more or less to the northwesterly angle of the easterly quarter of lot 23 in the seventh concession of the said township; thence south 20 degrees, 52 minutes east, fifty-one chains more or less to a point in the southerly limit of the road allowance between concessions six and seven in the said township; thence easterly along the said southerly limit of road allowance between concessions six and seven in the said township to the northwesterly angle of lot 24 in the sixth concession; thence south 20 degrees, 52 minutes east along the westerly limit of said lot 24 to the southwesterly angle of said lot 24; thence easterly along the line of division between the fifth and sixth concessions to the northwesterly angle of lot 25 in the fifth concession; thence south 20 degrees, 52 minutes east, forty-two chains; thence south 3 degrees, 16 minutes east 8.39 chains more or less to a point in the northerly limit of the road allowance between concession four and five; thence northerly 69 degrees, 08 minutes east along the said northerly limit of said road allowance between concession four and five, 42.52 chains more or less to the point of commencement, together with the area of the islands above enumerated.

Nomination  
for first  
council.

4. After the passing of this Act, it shall be lawful for George E. Cadieux, who is hereby appointed the returning officer, to hold the nomination for the first election of reeve, councillors and school trustees at the Community Hall in the said village, at the hour of twelve o'clock noon, on the last Monday in July, 1934, of which he shall give one week's notice by a notice in writing posted up in at least six of the most public places in the said village, and the said George E. Cadieux shall preside at the said nomination, or in case of his absence, the electors present shall choose from among themselves a chairman to preside at the said nomination and such chairman shall have all the powers of a returning officer, and the polling for the said election, if necessary, shall be held on the same day of the week next following and the returning officer or chairman shall, at the close of the nomination, duly announce the polling places in the said village at which the polling is to take place.

Deputy  
returning  
officers.

5. The said returning officer or chairman shall, by his warrant, appoint a deputy returning officer for each polling place so announced by him, and such returning officer or chairman and each of such deputy returning officers shall, before holding the said election, take the oath or affirmation required by law, and shall respectively be subject to all the provisions of *The Municipal Act* applicable to returning officers at elections in villages in so far as the same do not conflict with this Act, and the said returning officer or chairman shall have all the powers and perform the several duties devolving on village clerks with respect to municipal elections in incorporated villages.

Rev. Stat.,  
c. 233.

Township  
clerk to  
furnish  
copy of  
assessment  
roll, etc.

6. The clerk of the said township of Stephenson, and any other officer thereof shall, upon demand made upon him by the said returning officer or any other officer of the said village, or by the chairman hereinbefore mentioned, at once furnish such returning officer, officers or chairman with a certified copy of so much of the last revised assessment roll for the said village and township as may be required to ascertain the names of the persons entitled to vote in the said village at the first election, and any document, statement, writing, or deed that may be required for that purpose, and also the collector's roll for 1933, and the said returning officer shall furnish each of the said deputies with a true copy of so much of the said roll as relates to the names of the electors entitled to vote in each of the said polling divisions respectively, and each such copy shall be verified on oath.

Council,—  
how  
composed.

7. The council of the said village to be elected in manner aforesaid, shall consist of a reeve, who shall be the head thereof, and four councillors, and they shall be organized as a council on the same day of the week next following the week of polling, or if there be no polling, on the same day of the next

week following the week of nomination, and the said council and their successors in office shall have, use, exercise and enjoy all the powers and privileges and shall be subject to all the liabilities and duties of councils in villages incorporated under the provisions of *The Municipal Act*. Rev. Stat., c. 233,

**8.** A meeting of the electors of the said village for the nomination of candidates for the offices of reeve, councillors and school trustees for each subsequent election shall be held at the town hall in the said village annually at noon on the last Monday of July, and the polling, in case a poll be required, shall take place on the first Monday in August next thereafter. Annual elections.

**9.** Where a by-law of the said village requires the assent or is submitted to obtain the opinion of the electors the same shall be submitted only on the date fixed for taking the poll at the annual municipal elections of the said village. Submission of by-laws.

**10.** Save as hereinbefore provided, the provisions of *The Municipal Act* with respect to the holding of elections shall apply to the said village. Application of Rev. Stat., c. 233.

**11.** The several persons who shall be elected or appointed under this Act, shall take the declarations of office and qualification required by *The Municipal Act* to be taken by persons elected or appointed to like office in villages. Declarations of office, etc.

**12.** At the first election of reeve and councillors for the said village, the qualification of electors and that of the officers required to qualify shall be the same as that required in villages by *The Municipal Act*, and the qualification for reeve shall be the same as that of a reeve in a village. Qualification at first election.

**13.** The council of the said township shall, save as herein-after provided, retain complete title to all assets of the said township existing in the said village as of the date of incorporation thereof, including arrears of taxes owing in respect of lands situated in the said village, and shall have the right to collect and recover any such arrears as if the said village had not been detached but still remained a part of the said township, and the said village shall be released and discharged from all liability for any portion of the debts and liabilities existing against the said township at the date of the said incorporation. Provided that the gravel pit belonging to the township situated within the limits of the said village shall be for the free use of both the said village and the said township. Assets and liabilities.

**14.** The said village and that part of school section number 9 of the said township of Stephenson not included in the said village, shall be a Union School Section, subject to all the provisions of *The Public Schools Act* otherwise than as specially provided herein. Creation of union school section.

Community  
hall.

**15.** The community hall situated in the said village shall be vested in the Port Sydney Public School Board subject to the provisions of *The Community Halls Act*, and the said board shall perform the functions of the board of management thereof.

Expenses of  
obtaining  
Act.

**16.** The expenses incurred in obtaining this Act, and those of furnishing any documents or copies of papers, writings, deeds or any matters whatsoever required by the clerk or other officer of the said village or otherwise, shall be borne by the said village and paid by it to any party who may be entitled thereto.

Assessment  
for 1934.

**17.** The assessment roll and the assessments and all other matters contained therein for all that part of the township of Stephenson that is hereby created into the village of Port Sydney as made by the assessor for the said township for the year 1934 shall be valid and binding upon the persons and properties mentioned in the said assessment roll as if the said corporation of the village of Port Sydney had been created and the same had been made by an assessor duly appointed by the council of the said village at the time the said assessment roll was made, and the clerk of the said township shall forthwith after the expiration of the time limited for appealing to the court of revision from the said assessment roll, furnish to the said George E. Cadieux, or to the clerk for the time being of the said village, a true copy certified as such under his hand and the seal of the corporation of the said township of so much of the said assessment roll as relates to the lands and other properties within the limits of said village, and the income and business assessment of persons residing within such limits together with all notices of appeal from the assessment or other matters contained in or omitted from the said roll that have been filed with him that relate in any way to the said matters aforesaid, and thereafter the said appeals and the said portion of said assessment roll and the taxes to be payable thereunder shall subject to the proviso hereinafter contained belong to, be collected by, and be dealt with by the council of the said village in the same manner as if the said village had been regularly constituted at the time the said various proceedings were taken and had been made or received by duly appointed officials of the said village corporation; provided that as to the taxes to be payable in 1934 under the aforementioned portion of the said assessment roll, the said township shall be entitled to receive from the said village seven-twelfths thereof and there shall be paid to the said township seven-twelfths of the said taxes as the same are collected and received by the said village.

Commence-  
ment of Act.

**18.** This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 92.

## An Act respecting the Town of Prescott.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the town of Prescott Preamble.  
has by its petition represented that it is desirable to have its by-law number 921, passed on the 1st day of August, 1933, providing for the construction of certain concrete pavement, validated to cure certain irregularities in procedure; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Town of Prescott Act, 1934.* Short title.

2. By-law number 921 of the corporation of the town of Prescott passed on the 1st day of August, 1933, providing for the construction of certain concrete pavement therein described is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law No. 921 confirmed.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 93.

## An Act respecting the University of Regiopolis.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the College of Regiopolis was incorporated by an Act of the Legislature of Upper Canada in the seventh year of the reign of His Majesty King William IV, being chapter 56, and said Act was amended by 8 Victoria, chapter 79, and the said College was granted full University powers by an Act of Parliament of the Province of Canada passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, 1866, chapter 133, and said Acts were amended by an Act passed in the twenty-first year of the reign of His Majesty George V; Statute of Ontario, 1931, chapter 137, and has by its petition sought further powers and amendments; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Regiopolis University Act, 1934.*

Acts repealed.

**2.** The Acts set out in schedule "A" hereto are repealed and the provisions of this Act are substituted therefor.

Change of name.

**3.** The corporation of the University of Regiopolis is hereby continued under such name as may be designated by the Lieutenant-Governor in Council and, subject to the provision of this Act, shall have, hold, possess and enjoy all the property, rights, powers and privileges which it may now have, hold, possess and enjoy.

University to be body corporate and politic.

**4.** The University shall be a body corporate and politic in deed and in name.

Members of University.

**5.** The University shall be constituted of the present Board of Trustees of the University of Regiopolis, who with others whom they may elect to membership pursuant to the by-laws

shall

shall form the University Council of the University and such members shall hold office for such length of time as shall be determined by the by-laws of said University Council.

**6.** The University shall have power to and for the uses and purposes of the said University may purchase or otherwise take or receive, hold and enjoy any estate whatsoever, real or personal, and to alienate, sell, convey, lease or otherwise dispose of the same or any part thereof from time to time and as occasion may require, and to acquire other estate, real and personal, in addition to or in place thereof to and for the uses and purposes of the said University.

Power to acquire and hold real and personal property.

**7.** If and when authorized by by-law duly passed by the University Council, the University shall have the power to,—

Power to borrow money, issue bonds, etc.

- (a) Borrow money on its credit in such amount, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the said Council;
- (b) Make, draw and endorse promissory notes or bills of exchange;
- (c) Hypothecate, pledge or charge any or all the personal and real property of the University to secure any money so borrowed or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it;
- (d) Issue bonds, debentures and obligations on such terms and conditions as the council may decide, and pledge or sell such bonds, debentures and obligations for such sums and at such prices as the council may decide; and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the University to secure any such bonds, debentures and obligations.

**8.** The rents, revenues, issues and profits of all property, real and personal, held by the said University and all other income of the University shall be appropriated and applied solely to the maintenance of the members of the University, the construction and repair of the buildings requisite for the purposes of the University, and to the attainment of the objects for which the University is constituted and to the payment of expenses to be incurred for objects legitimately connected with or depending on the purposes aforesaid.

Application of rents, revenues, etc.

**9.** All and every the estate and property, real and personal, belonging to or hereafter to be acquired by the officers or

Property vested in the University.

members

members of the University as such and all debts, claims and rights whatsoever due to them in that quality shall be and are hereby vested in the University.

Members and officers not individually liable for debts, etc.

**10.** Nothing herein contained shall have the effect or be construed to have the effect of rendering all or any of the members or officers of the said University, or any person whatsoever individually liable or accountable for or by reason of any debt, contract or security incurred or entered into for or by reason of the University or for or on account or in respect of any matter or thing whatsoever relating to the University.

Land vested in University not liable to expropriation.

**11.** The real property of the University shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking land compulsorily for any purpose; and no power to expropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply thereto.

Exemption of property from taxation.

**12.** The property, real and personal, vested in the University, shall not be liable to taxation for municipal or school purposes, and shall be exempt from every description of such taxation; but the interest of every lessee and occupant (provided such lessee and occupant be not a member of the University or a member of the teaching staff or a servant or a student of the University or of a teaching community or Government institution for scientific or educational purposes) or of real property vested in the University shall be liable to taxation.

Act not to affect His Majesty's rights.

**13.** Nothing in this Act shall affect any right of His Majesty, his heirs or successors, or of any party or persons whomsoever; such rights only excepted as are herein expressly mentioned or affected.

Lieutenant-Governor to be visitor.

**14.—(1)** The Lieutenant-Governor of Ontario shall be a visitor of the said University.

Report of University Council.

**(2)** The University Council shall report to the Lieutenant-Governor at such time or times as he may appoint, on the general state, progress and prospects of the University, and upon all matters touching the same, with such suggestions as they think proper to make; and the Council shall also at all times, when thereunto required by the Lieutenant-Governor, inquire into, examine and report upon any subject or matter connected with the University, and copies of the annual report of the University and of such other reports as may be by the Lieutenant-Governor required shall be laid

before the Legislative Assembly of the Province of Ontario, at the next session thereof.

**15.** The objects of the University are hereby declared to be: Objects of University.

- (a) to promote art, science, education, instruction in law, medicine, engineering, agriculture, pharmacy and every other useful branch of learning;
- (b) to promote the intellectual, moral and physical welfare of its undergraduates, graduates and teaching staff.

**16.**—(1) Subject to the provisions in this Act contained the status and powers of the University as a university are hereby continued and shall be deemed to have subsisted as from the 15th day of August, 1866. Status and powers of University as from August 15th, 1866.

(2) The University shall have power and authority after proper examinations to confer in all branches of learning any and all degrees which may properly be conferred by a university. Power to confer degrees.

(3) The University shall also have power and authority to confer any of the said degrees as *ad honorem* degrees. Power to confer *ad honorem* degrees.

**17.** The governing and managing persons and bodies of the University shall be the Chancellor, the Rector, the University Council, the Senate and the faculties, which bodies shall be constituted and which persons and bodies shall enjoy and possess the power and authority respectively hereinafter conferred upon each one of them. Constitution of governing and managing persons and bodies.

**18.**—(1) The Chancellor of the University shall be appointed by the University Council and he shall hold office for such term and shall have such powers as shall be determined by the University Council pursuant to its by-laws. A Vice-Chancellor may be appointed by the Council with the approval of the Senate, and said Vice-Chancellor shall have precedence, after the Chancellor, over all officers of the University at Convocation and at all public functions of the University. Appointment of Chancellor.

(2) The Chancellor shall be the titular head of the University, and shall be accorded the place of honour at Convocation and other public functions; he shall preside at examinations if he is present, and shall, at his option, as of right first sign all diplomas to degrees. Chancellor to be titular head, etc.

**19.** The University Council shall consist of the following members: The Rector, the Vice-Rector, the Secretary, the Constitution of University Council.

Bursar, together with such other officers and members as the council may by by-law provide for.

Duties and  
powers of  
University  
Council.

**20.**—(1) The University Council, subject only to the powers which are by this Act expressly and exclusively conferred upon the Chancellor, the Rector, the Senate, the faculties respectively, shall have the control and management of all the affairs and business of the University, and for greater certainty but not so as to limit the generality of the foregoing, it is declared that the Council shall have power to

- (a) pass by-laws providing for the term of office and mode of appointment of the members of the Council and for filling any vacancy which may occur in the Council by death, resignation or otherwise;
- (b) pass by-laws providing rules and regulations pertaining to the meetings of the Council and its transactions and for fixing the quorum of the Council;
- (c) appoint such officers, proctors, regents, deans, professors, lecturers, teachers and servants of the said University as shall be necessary for the good government of the affairs of the University and to allow to them and to the Examiners such compensation for their services as to the Council may be deemed reasonable and proper and define and limit the duties of all such officers, proctors, regents, deans, professors, lecturers, teachers and servants;
- (d) subject to the limitations imposed by any trust as to the same, invest all such money as shall come to the hands of the Council in such manner as to the Council may seem meet;
- (e) establish in the University such faculties, special schools, departments, chairs and courses of instruction as to the Council may seem meet;
- (f) subject to the provisions of this Act, provide for the affiliation with the University of any college, seminary or other institution of learning;
- (g) pass by-laws providing rules and regulations for the government of the same.
- (h) upon the advice and report of the Senate cancel, recall and suspend any degree whether heretofore or hereafter granted or conferred upon any graduate of the University heretofore or hereafter convicted in Ontario or elsewhere of an offence which if committed

in

in Canada would be an indictable offence, or heretofore or hereafter guilty of any infamous or disgraceful conduct or of conduct unbecoming a graduate of the University, to erase the name of such graduate from the roll or register of graduates and to require the surrender for cancellation of the diplomas, certificate or other instrument evidencing the right of such graduate to a degree of which he shall have been deprived under the authority of any by-law passed by the Council under this subsection.

(2) Notwithstanding anything in this Act contained, the University Council shall have the power and the right, for reasons affecting the general welfare of the University of which reasons the Council shall be the sole judge, to veto any act or decision of the Senate or of the councils of the Faculties, excepting the exercise by the Senate of its right to allow and grant degrees. <sup>Power to veto.</sup>

**21.** The Rector, subject to the by-laws of the University Council, shall be the manager of the affairs of the University and in all cases not provided for by this Act or by the by-laws of the Council shall have power and authority to act on behalf of the University; he shall, subject only to the by-laws of the Council as to the place and notice of meetings, have the right to call any meeting of the Council, of the Senate or of councils or boards or committees of the Faculties, if such be established, and preside, if he is present, at all meetings of the Council, of the Senate and of the councils or boards or committees of the Faculties whether called by him or not and vote thereat; he shall in the absence of the Chancellor preside, if he is present, at examinations and shall first sign all University diplomas or degrees unless the Chancellor chooses to do so, in which event he shall sign immediately after the Chancellor and shall have such other powers as the Council may by by-law provide. <sup>Powers of rector.</sup>

**22.** The secretary shall maintain and keep the register or roll of graduates of the University and of those persons who have or shall receive *ad honorem* degrees; he shall be the secretary of the University Council and of the Senate; he shall sign all University diplomas after the Rector and he shall perform such other duties as may be assigned to him by the Rector or by the University Council. <sup>Duties of secretary.</sup>

**23.** The Vice-Rector and the other officers of the University Council shall have such rights and perform such duties as may from time to time be assigned to them by by-laws of the University Council. <sup>Duties of Vice-Rector and other officers.</sup>

Constitution  
of the  
Senate.

**24.** The Senate of the University, in this Act referred to as "the Senate," shall consist of the following members:

- (a) The Chancellor for the time being;
- (b) The Vice-Chancellor for the time being, if such be appointed;
- (c) The Rector;
- (d) The Vice-Rector, the Secretary, and the Bursar of the University; and the other officers and members of the University Council.
- (e) The persons for the time being holding the following positions in the University:
  - (i) The regent, the dean, the vice-dean, and the secretary of each of the faculties of the University;
  - (ii) The proctors of the University;
  - (iii) The Heads of Departments and the Directors of the special schools operated by the University, but not conducted as organized faculties;
  - (iv) Professors appointed from the several Faculties in a manner to be determined by the Council;
  - (v) Masters of Colleges and of those Halls of Residence to which the right of representation in the Senate has been granted;
  - (vi) One member from each of the institutions affiliated with the University, in all cases where the conditions of the agreement of affiliation entitle such affiliated institution to appoint a representative;
- (f) Representatives of the Graduates to be elected in the manner and to the number that shall be determined from time to time by the Senate;
- (g) Certain other persons whom the Senate and Council may wish to elect for special reasons or on account of signal service rendered to the University. But the number of such persons shall at no time exceed one-sixth of the total number of the members in the Senate.

(h)

- (h) Such other persons whose presence in the Senate is considered desirable and who do not come under any of the above classifications upon the unanimous recommendation of the Council and a two-thirds vote of the Senate. The number of such persons so elected shall at no time exceed one-tenth of the total number of the members in the Senate.

**25.**—(1) At all meetings of the Senate, the Rector, or, in his absence, the Vice-Rector shall preside.

Rector or Vice-Rector to preside at meetings.

(2) All questions which shall come up before the Senate shall be decided by a majority of votes of the members present, including the vote of the Rector, or other presiding member of the Senate, and in case of an equal division of such votes the Rector or in his absence the presiding member at such meeting shall have an additional or casting vote.

Questions to be decided by vote.

(3) A majority of all the members of the Senate in actual residence at the University shall constitute a quorum for the transaction of business.

Quorum.

(4) The Senate shall meet at the University Building in Kingston from time to time when convened by the Rector, and at such times as the members of the Senate shall by by-law appoint.

Meetings.

**26.** The Senate shall have the power and authority to confer any and all degrees which may be conferred by the University, provided the courses of study prescribed for matriculation into the University shall in an essential sense be equivalent to those prescribed for matriculation into the University of Toronto and in respect to any degree which the said Senate has power to confer the courses of instruction and the scope of examinations for such degree shall also be equivalent to the courses and examinations for a corresponding degree in the University of Toronto, to the end that the standard and qualifications for admission and degrees in the University may be not inferior to, although not necessarily identical with those adopted in the University of Toronto.

Powers of senate.

**27.**—(1) The Senate shall receive the reports from the Faculties and from the special schools, departments, chairs and courses of instruction as to the examinations passed by the students, and shall grant academic promotion to those who, in the opinion of the Senate, shall be worthy of promotion.

Duties of senate as to reports, promotions, etc.

(2) The Senate may either refuse or confer *ad honorem* degree to persons recommended by the University Council.

Ad honorem degrees.

(3) After proper examinations the Senate shall have the power and authority to confer degrees upon payment of such

Conferring of degrees.

reasonable fees as the University Council shall by by-law from time to time determine, such fees to be paid to the general fund of the University.

Scholarships,  
prizes, etc.

(4) The Senate may grant such scholarships and prizes as to the Senate may seem meet, provided, however, the University Council has previously approved of the granting of such scholarships and prizes.

Senate to  
advise and  
report on  
faculties,  
etc.

(5) The Senate shall advise and report to the University Council as to the establishing, including the constitution thereof in the University, of such faculties, special schools, departments, chairs and courses of instruction, as to the Senate may seem meet.

Recommen-  
dations.

(6) The Senate may make such recommendations to the Council as may be deemed proper for promoting the interests of the University or for carrying out the objects and provisions of this Act.

Government  
of faculty.

**28.** Every Faculty established by the University shall be governed in accordance with the rules and regulations which shall be passed for its good government. There shall be appointed in each Faculty administrative officers, who shall be a Dean, a Vice-Dean, a Secretary, and in some Faculties a Regent who shall have general jurisdiction.

Examination  
of  
candidates.

**29.** Once at least in every year at a time or times to be fixed by the Senate, the Senate shall cause to be held an examination of the candidates for degrees, certificates of proficiency, scholarships and prizes, and at any such examination the candidates shall be examined by examiners appointed for the purpose by the Councils of the Faculties and by the Directors of special schools, departments, chairs and courses of instruction and at every such examination the candidates shall be examined orally or in writing or otherwise.

Examiners  
to make  
declaration.

**30.** The examiners may be required to make in writing the declaration which appears in schedule "B" hereto.

Affiliation  
with other  
colleges, etc.

**31.—(1)** The University may by by-law passed by the Senate and confirmed by the University Council, provide that any college, seminary or other institution established in any province of Canada may become affiliated to and connected with the University for the purpose of admitting therefrom as candidates at examinations for the degrees which the University is authorized to confer, such persons as may have successfully completed in such college, seminary or other institution whilst affiliated with the University, such course of instruction, preliminary to any of the said respective examinations for

standing or for scholarships, honours, degrees or certificates as the University shall from time to time by regulations in that behalf determine; provided always that no college, seminary or other institution of learning in the Province of Ontario now in affiliation with the University of Toronto and no university in the Province of Ontario shall affiliate to or connect with the said Regiopolis University.

(2) The agreement of affiliation entered into between the University and the affiliated college, seminary or other institution shall contain provisions setting out the conditions upon which the said affiliated institutions shall be entitled to representation in the Senate of the University. <sup>Agreement of affiliation.</sup>

(3) The said agreement of affiliation shall also contain provisions stipulating that the qualifications for admission into any such affiliated institution and the courses of study therein shall not be inferior to those by this Act prescribed for the said University. <sup>Agreement to specify qualifications for admissions.</sup>

**32.** This Act shall come into force on the day upon which it receives the Royal Assent. <sup>Commencement of Act.</sup>

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## SCHEDULE "A"

*(Referred to in Section 2)*

1. Section 3 of an Act of the Legislature of Upper Canada, passed in the seventh year of the reign of His Majesty William IV, chapter 56.

2. An Act of the Legislature of the Province of Canada, passed in the twenty-ninth year of the reign of Her Majesty Queen Victoria, chapter 133.

3. An Act of the Legislature of the Province of Ontario, passed in the twenty-first year of the reign of His Majesty George V, chapter 137.

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## SCHEDULE "B"

### FORM OF DECLARATION

#### EXAMINERS

I, .....  
solemnly declare that I will perform my duty of examiner without fear, love or affection or partiality towards any candidate, and that I will not knowingly allow to any candidate any advantage which is not equally allowed to all

## CHAPTER 94.

## An Act respecting the City of St. Catharines.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the city of St. Catharines has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of St. Catharines Act, 1934.*

By-law  
No. 4163  
to acquire  
lands from  
Imperial  
Iron  
Corporation  
confirmed.

**2.** By-law number 4163 of the corporation of the city of St. Catharines, passed on the 10th day of June, 1933, being a by-law to authorize the purchase of a parcel of land from the Imperial Iron Corporation Limited is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and the said corporation is hereby authorized to carry out its obligations thereunder.

By-law  
No. 4178,  
relating to  
Waterworks  
Commission  
confirmed.

Rev. Stat.,  
c. 249.

**3.** By-law number 4178 of the said corporation passed on the 30th day of October, 1933, providing that the waterworks commission of the city of St. Catharines should consist of five members, of whom the head of the council shall be one, in accordance with the provisions of *The Public Utilities Act*, and providing for the election thereof, and ratifying, approving and confirming all the acts, matters and things done by the waterworks commission of the city of St. Catharines, is hereby confirmed and declared to be legal and valid, notwithstanding the provisions of any special Act constituting the waterworks commission of the city of St. Catharines and in so far as may be necessary any such special Act shall be deemed to be amended in accordance with the provisions of this section and of the said by-law.

By-law  
No. 4189  
and agree-  
ment with  
Grout's  
Limited for  
fixed  
assessment  
confirmed.

**4.** By-law number 4189 of the said corporation passed on the 22nd day of January, 1934, and the agreement dated the 4th day of December, 1933, made between the said corporation

and

and Grout's Limited, both relating to the granting of a fixed assessment to the said company, are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and the said company and its successors and assigns.

5. By-law number 4190 of the said corporation passed on the 22nd day of January, 1934, and the agreement dated the 4th day of December, 1933, made between the said corporation and Imperial Iron Corporation Limited, both relating to the granting of a fixed assessment to the said company, are and each of them is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and the said company and its successors and assigns.

By-law No. 4190 and agreement with Imperial Iron Corporation for fixed assessment confirmed.

6.—(1) The housing commission of the city of St. Catharines may, with the consent of the council of the said corporation, from time to time, acquire by purchase or otherwise and sell or resell by public or private tender or by public auction or private sale any of the houses erected by the said commission at such prices and upon such conditions and terms of payment as may be approved by the said council.

Powers of Housing Commission to sell properties.

(2) The said commission, pending the sale or resale of any property may rent the same to any person, firm or corporation from time to time upon such terms and at such rentals and upon such conditions as may be approved by the said council.

Power to rent properties.

7.—(1) All sales of land within the city of St. Catharines made prior to the 31st day of January, 1933, and purporting to have been made by the corporation of the city of St. Catharines or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Confirmation of tax sales and conveyances.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded

Pending litigation not affected.

with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commence-  
ment of Act.

8. This Act, other than section 7, shall come into force on the day upon which it receives the Royal Assent. Section 7 shall come into force on the 1st day of July, 1934.

## CHAPTER 95.

## An Act respecting the Village of St. Clair Beach.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the village of St. Clair Beach has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Village of St. Clair Beach Act, 1934.* Short title.

**2.** The village of St. Clair Beach shall, for the year 1934 and in each year thereafter, be represented in the county council of the county of Essex, by the reeve of the said village, and section 4 of chapter 91 of the Statutes of Ontario, 1914, being the Act of incorporation of the said village, is repealed, and the said Act amended accordingly. Representa-  
tion on  
county  
council.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent. Commence-  
ment of Act.

## CHAPTER 96.

## An Act respecting the City of St. Thomas.

*Assented to April 3rd, 1934.*

## Preamble

**W**HEREAS the corporation of the city of St. Thomas has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

## Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1934.*

By-laws  
Nos. 2983,  
3041, and  
agreement  
with  
Canada  
Vitrified  
Products  
Limited  
confirmed.

2. By-laws numbers 2983 and 3041 of the corporation of the city of St. Thomas and the agreement entered into pursuant thereto, dated the 7th day of March, 1933, between the said corporation and the Canada Vitrified Products Limited as set forth in schedule "A" to this Act are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Canada Vitrified Products Limited, its successors and assigns.

Approval of  
Ontario  
Municipal  
Board  
requisite.

3.—(1) Notwithstanding the provisions of section 2 or of the by-laws and agreement therein confirmed no action shall be taken by the council of the corporation of the city of St. Thomas to carry out any such provisions or to guarantee payment of the principal or interest of any bonds or debentures of the Canada Vitrified Products Limited or to do, execute or perform any act, deed, matter or thing with respect thereto until the Ontario Municipal Board has approved the same.

Inquiry by  
Ontario  
Municipal  
Board.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose.

Commence-  
ment of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

## SCHEDULE "A"

## CITY OF ST. THOMAS

## BY-LAW No. 2983

A BY-LAW to authorize the Corporation of the City of St. Thomas to guarantee certain Bonds or Debentures of The Canada Vitrified Products Limited.

Whereas it is desirable and expedient subject as hereinafter provided to confirm a certain Agreement dated the Seventh day of March, A.D. 1933, between The Canada Vitrified Products Limited and the Corporation of the City of St. Thomas, which said Agreement is hereto annexed as Schedule "A" and is incorporated with and forms part of said By-law;

And whereas the whole amount of the rateable property of the Municipality according to the last revised assessment roll is \$16,291,990.00;

And whereas the amount of the existing debenture debt of the Corporation exclusive of local improvement debts secured by local rates or assessments is \$1,356,119.30 and none of the principal or interest is in arrears;

Therefore the Council of the Corporation of the City of St. Thomas enacts as follows:

1. That for the purpose aforesaid it shall be lawful for the Corporation of the City of St. Thomas to guarantee payment of the bonds or debentures of The Canada Vitrified Products Limited to the amount of Forty-five Thousand (\$45,000.00) Dollars payable in five equal annual payments of Nine Thousand (\$9,000.00) Dollars each, the first of such annual payments to be paid on the First day of May, A.D. 1938, and interest on said payments at a rate not greater than Six per cent. (6%) per annum payable half yearly on the First day of May and the First day of November in each year.

2. Execution of the said Agreement on behalf of the Corporation of the City of St. Thomas is hereby authorized and confirmed and the corporate seal of the Corporation to be duly affixed.

3. The said Agreement Schedule "A" is hereby incorporated in and with and shall form part of this By-law.

4. The aforesaid bonds or debentures shall be guaranteed by the Corporation of the City of St. Thomas and shall be payable in Canadian currency at the Imperial Bank of Canada, St. Thomas, Ontario, and such guarantee shall be signed by the Mayor and Treasurer and sealed with the seal of the Corporation and may be endorsed on said bonds or debentures or annexed thereto.

5. This by-law shall subject to the assent of the electors of the City of St. Thomas duly qualified to vote thereon having been obtained thereto, come into force and take effect on the final passing thereof.

Read a first time this Seventh day of March, A.D. 1933.

Read a second time the Seventh day of March, A.D. 1933.

Read a third time and finally passed this 2nd day of May, A.D. 1933.

(Sgd.) EDNA M. BENNETT,  
*City Clerk.*

(Sgd.) JOHN A. JAGOE,  
*Mayor.*

*Schedule "A" to By-law No. 2983*

## AGREEMENT

This Agreement made this 7th day of March, A.D. 1933.

BETWEEN:

THE CANADA VITRIFIED PRODUCTS, LIMITED  
(hereinafter called the "Company"),

of the first part:

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF  
ST. THOMAS (hereinafter called the "Corporation"),

of the second part:

Whereas the Company has purchased all the assets, real and personal of the Company of the same name, together with the plant and equipment, situated in the City of St. Thomas, and the clay deposits owned by the former company and situated at Negley, Ohio;

And whereas the Company requires to raise the sum of \$45,000 for effectively carrying on the business, by the issue of First Mortgage Bonds, and has asked the Corporation to guarantee the payment of the same;

And whereas the Corporation is willing to submit a By-law to its qualified ratepayers for their approval and if approved to co-operate in securing the ratification and confirmation of such By-law by the Legislature of the Province of Ontario authorizing the Corporation to aid the Company to the extent and in the manner hereinafter more particularly set forth:

Now therefore this Agreement witnesseth that in consideration of the premises and of the terms, agreements, conditions and stipulations hereinafter set forth, the parties hereto hereby agree each with the other as follows:

## THE COMPANY AGREES:

(a) To obtain a loan of \$45,000 and secure the payment thereof by creating and issuing debentures, bearing interest at the rate of six per cent. per annum from the first day of May, 1933, interest to be payable half yearly on the first days of the months of May and November in each year, beginning the first day of November, 1933, and the principal to be payable at the rate of \$9,000.00 per annum, commencing the first day of May, 1938, and continuing yearly on the first day of May until the same is fully paid.

(b) That it will continue its said business in the City of St. Thomas and will engage and keep engaged a staff of at least twenty employees on an average during each and every week for the period of ten years, or until said indebtedness is fully paid, and will pay at least \$30,000.00 during each and every year of the said ten years in salaries and wages to those in its service in the City of St. Thomas.

(c) To secure the payment of its debentures, which when paid will retire the said loan, the Company will mortgage in favour of the City its factory, plant and all other buildings, and any other real property owned by it in the city or elsewhere, represented by the Company as having a cost value of approximately \$300,000.00, such mortgage to be in form and in terms approved of by the Corporation.

(d) To pay to the City of St. Thomas the sum of \$1,000.00 representing the cost of submitting the By-law to the ratepayers and assisting in securing

its

its ratification by the Legislature of the Province of Ontario; the sum of \$500.00 on the first reading of the By-law and the balance on or before the 23rd day of March, 1933, and the Company shall pay to the Corporation any additional costs, charges and expenses of such submission and ratification forthwith on the same being ascertained.

(e) To set aside as a reserve twenty-five per cent. of the net profits of the Company each year until the reserve amounts to the full amount of all outstanding indebtedness of the Company which is guaranteed by the City, and maintain this reserve until such indebtedness is paid.

(f) That all the employees of the Company until the loan is fully paid off shall reside in the City of St. Thomas.

(g) To obtain and deliver to the Corporation the life insurance policy, or policies, on one or more of its officers approved of by the Corporation, for \$10,000.00 payable to the Corporation, for value as security and indemnity for repayment of said loan.

(h) The books of the Company shall be open at all reasonable times to the auditor of the City each year for his examination until the loan has been retired.

#### THE CORPORATION AGREES:

(a) Subject to the terms and agreements aforesaid being fully carried out and performed by the Company, to submit to the electors duly qualified to vote on money By-laws for their approval and sanction a By-law to authorize it to guarantee the Company's debentures to the extent of \$45,000.00 together with interest on the same at six per cent. per annum as hereinbefore more particularly set forth and described.

(b) To guarantee the debentures and interest thereon as aforesaid in the event of such By-law being ratified and confirmed.

(c) To co-operate with the Company in obtaining the ratification and confirmation of such By-law by the Legislature of the Province of Ontario.

It is understood and agreed that in case such By-law is not ratified and confirmed by the ratepayers and by the Legislature of the Province of Ontario, then this agreement shall be null and void.

In witness whereof the parties hereto have caused their respective corporate seals to be affixed under the hands of their respective signing officers.

Signed, Sealed and Delivered:

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#### BY-LAW No. 3041

Being a By-law relating to Canada Vitriified Products Limited.

The Council of the Corporation of the City of St. Thomas, in pursuance of all powers thereto enabling, enacts as follows:

1. That subject as hereinafter mentioned By-law Number 2983 of the City of St. Thomas, and the Agreement therein mentioned be and is hereby ratified and confirmed except that Canada Vitriified Products Limited shall be held to mean and to be Canada Vitriified Products Limited named in Letters Patent dated the 21st day of September, A.D. 1933, and recorded the 8th day of December, A.D. 1933, as Number 78 in *liber* 308 in the office of the Provincial Secretary of the Province of Ontario.

2. That without modification of the generality of Clause (C) of the Agreement aforesaid the Mortgage therein referred to shall be a first mortgage or charge against all the real estate, buildings, plant, machinery and equipment of Canada Vitriified Products Limited including clay pits of said Company wherever situated.

3. That the Application of the proceeds of sale derived from the debentures guaranteed by the Corporation of the City of St. Thomas shall be subject to the approval of the Ontario Municipal Board.

4. That Canada Vitrified Products Limited shall by the proper officers thereof and with the Corporate Seal affixed execute the Agreement mentioned in said By-law Number 2983 and a further Agreement executed in like manner aforesaid before this By-law becomes operative.

5. That the Mayor and Clerk of the Corporation are hereby authorized and empowered to execute such Agreement and affix the Corporate Seal thereto.

Read a first time this 3rd day of March, A.D. 1934.

Read a second and third time this 3rd day of March, A.D. 1934.

EDNA M. BENNETT,  
*Clerk.*

A. N. JOHNSON,  
*Mayor.*

## CHAPTER 97.

## An Act respecting the Town of Southampton.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the town of Southampton Preamble.  
has by its petition prayed for special legislation in  
respect to the matters hereinafter set forth; and whereas it  
is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The Town of Southampton Act*, Short title.  
1934.

2. By-law number 862 of the corporation of the town of By-law  
No. 862  
confirmed.  
Southampton is hereby ratified and confirmed and declared  
to be legal, valid and binding on the said corporation and on  
the ratepayers thereof, and the said corporation and its officers  
are hereby empowered and authorized to do all such acts as  
are required to be done by them under the provisions of the  
said by-law.

3. The corporation may pass such further by-laws which Authority  
to pass  
by-laws to  
complete  
guarantee.  
for their validity shall not require the assent of the electors  
of the said corporation qualified to vote on money by-laws, to  
complete the guarantee by the said corporation of the debentures of The Bell Furniture Co. Limited, to be issued to the  
extent of not more than \$30,000.

4.—(1) Notwithstanding the provisions of sections 2 and 3 Approval of  
Ontario  
Municipal  
Board  
requisite.  
or of the by-laws and agreement therein confirmed or authorized no action shall be taken by the council of the corporation  
of the town of Southampton to carry out any such provisions  
or to guarantee payment of the principal or interest of any  
bonds or debentures of The Bell Furniture Company Limited  
or to do, execute or perform any act, deed, matter or thing with  
respect thereto until the Ontario Municipal Board has  
approved the same.

Inquiry by  
Ontario  
Municipal  
Board.

(2) The Ontario Municipal Board shall inquire into the whole matter of the said proposed guarantee and all things relating thereto, and the said Board may refuse to grant its approval of the said proposed guarantee or may grant the same upon and subject to such terms and conditions, if any, as the Board may, by its order, impose.

Commence-  
ment of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

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BY-LAW No. 862 OF THE MUNICIPAL CORPORATION  
OF THE TOWN OF SOUTHAMPTON

A BY-LAW to grant aid to the Bell Furniture Company Limited (herein called the Company) by guaranteeing their debentures to the extent of \$30,000.00

Whereas the Company has carried on the business of Furniture Manufacturers in the Town of Southampton for a period of at least twenty-five years, employing a considerable number of employees;

And whereas the Company has applied to the Municipal Corporation of the Town of Southampton to aid their said industry by a Guarantee of the Debentures of the said Company which are to be issued and guaranteed to the extent of not more than \$30,000.00, payable with interest at the rate of six per cent. per annum in equal aggregate yearly installments of principal and interest for a period of 20 years;

And whereas the Municipal Council of the Town of Southampton has agreed to grant such aid, subject to certain terms, conditions, and provisos hereinafter mentioned and referred to;

And whereas the said Company in consideration of the said Guarantee agrees to enter into a written agreement under seal with the said Corporation that the proceeds of the sale of the said Debentures shall be deposited with the Canadian Bank of Commerce, Southampton, Ontario, or any other chartered bank, and that the same shall be paid out for the purpose of purchasing material and the payment of wages only; and shall provide monthly reports to the Municipal Council in respect to the said proceeds; and shall on or before the first day of February, 1934, commence its operations, employing a daily average of not less than seventy-five hands or employees (other than the officers of the Company) during the next twenty consecutive years, giving preference to the ratepayers of the Corporation at the usual wages which from time to time are paid to such employees in the district, provided, however, that the date for commencement of business and the daily average number to be employed may be modified or changed temporarily by the Municipal Council upon any valid reason for so doing being given to the Municipal Council of the Town of Southampton by the Company; and shall keep insured, during the currency of the debentures, the buildings, plant, machinery and equipment on the lands belonging to the Company in the sum of at least \$100,000.00 with loss, if any, payable to the Corporation of the Town of Southampton, as its interest or interests may appear; and shall pay or cause to be paid all taxes, rates or assessments that have been or may be imposed or levied in respect to the said lands or premises, whether municipal, provincial, or otherwise; and shall, in order to secure and indemnify the Corporation of the Town of Southampton against any loss or liability which it may suffer or incur or to which it may be put at any time by reason of such Guarantee, at the Company's expense, before the Guarantee hereby authorized being given or endorsed upon any of the Debentures, Execute, Deliver, and Register, to the Municipal Corporation of the Town of Southampton, a first mortgage on the following lands and premises, viz.:

"All and singular those certain parcels or tracts of land and premises, situate, lying, and being in the Town of Southampton in the County of Bruce, and being composed of part of land lying between Morpeth Street on the north, Wellington Street on the south, Albert Street on the west, and Victoria Street on the east, comprising lots numbers Twenty-one, Twenty-two, Twenty-three, and part of lot number Twenty on the east side of Albert Street, portions of lots numbers Twenty, Twenty-one, Twenty-two, and Twenty-three on the west side of Victoria Street, together with the lane lying between the said lots and the portions thereof, such part of land being more fully described in Deed from the S. Knechtel Wood Turning and Furniture Company Limited to the Southampton Furniture Company Limited of date the twenty-second day of September, 1906, and registered on the ninth day of October, 1906, as number 4124, including all buildings that are or may be erected on the said lands with the plant, machinery, and equipment, now or hereafter to be installed in the said buildings, all of which it is hereby declared are to be considered real estate," which mortgage shall be made in pursuance of *The Short Forms of Mortgages Act* and shall provide, *inter alia*, for the payment of the Debentures and interest by the Company yearly as they and each of them respectively mature, and that in case of default in any such yearly payment by the Company and the making by the Corporation of any such payment so in default, or upon breach of the condition respecting the operation of such plant and the employment and payment of such employees or hands, a right of entry and sale or other disposition of the mortgaged property shall accrue to the Municipal Corporation of the Town of Southampton, such mortgage shall contain the usual covenants and provisos set out in *The Short Forms of Mortgages Act* and as collateral thereto the Company shall yearly submit a statement verified by Statutory Declaration of its Secretary or Treasurer or Chief Executive Officer certifying to the said Corporation of the Town of Southampton the due fulfilment of the said Agreement and all its terms and conditions by the said Company and also of the payment of all matured Debentures so guaranteed;

And whereas the total amount of the debt or engagement which this By-law is intended to create or of the undertaking which the Municipal Corporation of the Town of Southampton is intended to incur hereunder is the amount of the Guarantee by the Corporation of the Town of Southampton of the payment by the said Company of their said debentures to the amount of \$30,000.00 and the interest thereon at the rate of six per cent. per annum, payable yearly within twenty years from the issue thereof, such debentures to be of such amounts that the aggregate amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years during such period;

And whereas the annual sum of \$2,615.54 will be required to pay off the said debentures and interest thereon in every year for the said period of twenty years;

And whereas the whole of the rateable property of the Municipality of the Town of Southampton, according to the last revised Assessment Roll amounts to \$751,890.00;

And whereas the amount of the existing debenture debt of the Corporation (exclusive of Local Improvement Debts and of debentures issued by the local Hydro Commission) amounts to the sum of \$43,729.10 and the existing Local Improvements debenture debt of the said Municipality, including property owners' share amounts to the sum of \$8,242.98, making an aggregate existing debenture debt of the said Municipality of \$51,972.08 (exclusive of Hydro Debentures) of which no part of the principal or interest is in arrears;

Therefore the Municipal Council of the Corporation of the Town of Southampton enacts as follows:

1. The debentures of the Bell Furniture Company Limited to be issued for the purposes aforesaid to the amount of \$30,000.00 to mature and become due and payable in equal annual instalments in twenty years from the date of the issue thereof, and the interest thereon at the rate of six per cent. per annum payable yearly during the said period of twenty

years

years be and the same are hereby guaranteed by the Corporation of the Town of Southampton.

2. The said Debentures shall all bear the same date and shall be issued within two years after the day on which this By-law is passed, and shall be in sums of not less than \$50.00 each and shall have coupons attached thereto for payment of interest at the rate of six per centum per annum which debentures and interest coupons shall be payable at the Canadian Bank of Commerce in the Town of Southampton, in the manner and for the amounts following, that is to say:

Year	Principal	Interest	Total
1. ....	\$815 54	\$1,800 00	\$2,615 54
2. ....	864 46	1,751 08	2,615 54
3. ....	916 34	1,699 20	2,615 54
4. ....	971 32	1,644 22	2,615 54
5. ....	1,029 59	1,585 95	2,615 54
6. ....	1,091 37	1,524 17	2,615 54
7. ....	1,156 86	1,458 68	2,615 54
8. ....	1,226 27	1,389 27	2,615 54
9. ....	1,299 84	1,315 70	2,615 54
10. ....	1,377 83	1,237 71	2,615 54
11. ....	1,460 50	1,155 04	2,615 54
12. ....	1,548 13	1,067 41	2,615 54
13. ....	1,641 02	974 52	2,615 54
14. ....	1,739 48	876 06	2,615 54
15. ....	1,843 85	771 69	2,615 54
16. ....	1,954 48	661 06	2,615 54
17. ....	2,071 75	543 79	2,615 54
18. ....	2,196 06	419 48	2,615 54
19. ....	2,327 82	287 72	2,615 54
20. ....	2,467 49	148 05	2,615 54
	<hr/> \$30,000 00	<hr/> \$22,310 80	<hr/> \$52,310 80

and shall be registerable as to principal at the option of the holder thereof.

3. The Guarantee hereby authorized to be given by the said Corporation of the Town of Southampton shall be endorsed upon each of the said Debentures, the aggregate amount of which shall not exceed the sum of \$30,000.00 and interest thereon, and such Guarantee shall be in the words or figures following, or to the like effect: The Corporation of the Town of Southampton hereby guarantees the payment of the within Debentures at maturity and does further guarantee payment of the interest coupons thereto attached as the same become respectively due and payable. This Guarantee is given to and for the benefit of the purchaser of this Debenture and of every person or persons, Company or Companies, Body or Bodies, Corporate, who may at any time hereafter be the holder of this Debenture. This Guarantee is given pursuant to By-law No. 862 of the Town of Southampton.

(Corporate Seal)

*Mayor of the Town of Southampton*

4. The Mayor of the Town of Southampton is hereby authorized and empowered to sign the said Guarantee so endorsed upon the said Debentures on behalf of the said Corporation of the Town of Southampton, and the Clerk of the said Town of Southampton is hereby authorized and directed to attach the seal of the said Corporation of the Town of Southampton thereto, but no such Guarantee shall be executed, nor shall any such endorsement upon the said Debentures be signed or sealed until the said by-law has been approved by the vote of the qualified electors of the municipality and until the said Company shall have executed and delivered to the said Corporation of the Town of Southampton the Agreement hereinbefore mentioned to be entered into by the said Company, and executed, delivered and registered the First Mortgage hereinbefore mentioned.

5. The said debentures of the said Company shall, when the said guarantee of the said Corporation of the Town of Southampton is endorsed

thereon,

thereon, be placed in the Canadian Bank of Commerce in Southampton until the same are sold and the moneys realized from the sale of the said Debentures shall from time to time, as such Debentures are sold, be deposited in the said Bank to the credit of the said Company in a separate Bank Account and the said moneys shall be expended only for the purpose of purchasing material and the payment of wages.

6. The Municipal Council of the Town of Southampton is hereby authorized and empowered to apply to the Legislature of the Province of Ontario to obtain the approval of the said Legislature to this by-law.

7. In case of the failure of the said Company to pay the said debentures or any of them, or the interest thereon, as they respectively become due and payable and in case the Corporation of the Town of Southampton is called upon to pay the same, or any of them, then, and in any such case, there shall be raised and levied in each such year in which such default shall or may occur by a special rate sufficient therefor on all the rateable property in the said Municipality a sum sufficient to pay the amount in default and not exceeding the sum of \$2,615.54 being a sum sufficient to discharge each of the said installments of principal and interest accrued due on said Debentures, as the same respectively become due and payable, as hereinbefore set forth.

8. This By-law shall take effect and come into operation upon the final passing thereof and upon receiving the validation of the Legislature of the Province of Ontario of 1934.

Read a first and second time and considered in Committee of the whole the 14th day of December, 1933.

Dated and passed in open Council this third day of February, 1934.

(Signed) LAIRD MACAULAY,  
*Clerk.*

(Signed) ROBERT McVITTIE,  
*Mayor.*

## CHAPTER 98.

## An Act respecting the Township of Teck.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the township of Teck has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Township of Teck Act, 1934.*

By-law  
No. 680 and  
agreement  
confirmed.

**2.** By-law number 680 passed by the council of the corporation of the township of Teck on the 6th day of November, 1933, authorizing the execution of an agreement dated the 7th day of December, 1933 by the said corporation with the Provincial Government, respecting unemployment relief, and the said agreement are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 687 and  
agreement  
confirmed.

**3.** By-law number 687 passed by the council of the said corporation on the 20th day of November, 1933, authorizing the execution of an agreement dated the 7th day of December, 1933 by the said corporation with the Provincial Government, respecting public school purposes, and the said agreement are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the public school supporters of the township school area of Kirkland Lake.

Authority  
to pass  
by-laws for,

**4.** The council of the said corporation is authorized to pass by-laws,—

Licensing  
coal and  
coke  
dealers.

(a) For the purposes mentioned in, but subject to the requirements of paragraph 11 of section 400 and section 431a of *The Municipal Act.*

(b)

- (b) For providing that the reels, engines and vehicles of the fire department of the said corporation shall have the right-of-way on the streets and highways within the township while proceeding to a fire or answering a fire alarm call. Right-of-way for fire reels.
- (c) For regulating parades or processions on highways, and from time to time, and as occasion may require, prescribing the routes of travel to be observed by all vehicles, horses and persons upon the highways, and preventing the obstruction of the highways during public processions or public demonstrations, and for giving directions to the police constables for keeping order, and preventing any collision or obstruction of traffic at the intersections or other frequented portions of the highways, on all occasions when the highways are thronged, or liable to obstruction. Regulating parades.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

## CHAPTER 99.

## An Act respecting the City of Toronto.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1934*.

Annexation  
of lands to  
city

2. The lands described in the schedule hereto shall, from and after the date when this section comes into force, be annexed to and form part of the city of Toronto, as part of Ward No. 6, and section 38 of *The Municipal Act* shall not apply in the case of the said annexation.

Confirma-  
tion of tax  
sales and  
conveyances.

3.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the city of Toronto or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending  
litigation  
not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded

with

with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

4.—(1) The council of the said corporation may out of the current revenues of the corporation in 1934 grant such sum or sums of money not exceeding in the aggregate \$75,000 in aid of such institutions, associations and persons carrying on or engaged in works which in the opinion of the council are for the general advantage of the inhabitants of the said city, but in respect to which no express authority to grant aid is conferred by statute.

Authority for grants out of revenues of 1934.

(2) The council of the said corporation may appropriate and expend a sum not exceeding \$180,000 out of the current revenues of the corporation in the celebration of the Centenary of the incorporation of the city of Toronto, and may, by resolution, provide that the control and expenditure of the said sum or any part thereof shall be entrusted to and vested in a special committee appointed by the said council and composed of such ratepayers or residents of the said city as the said council may appoint, with power to the said committee in the name of the corporation to enter into contracts for the granting of concessions and for other matters in respect to the expenditure of such sum as may be entrusted by the council to the committee; but all revenues derived by the said committee from the said celebration or anything done in connection therewith shall be paid over to the treasurer of the said city to form part of the current revenues of the corporation.

Appropriation for celebration of the centenary of Toronto.

(3) The provisions of subsection 2 shall have force and take effect as from the first day of January, 1933.

Effect of subsection 2.

5.—(1) Where the council of the said corporation proposes to undertake as a local improvement work to form part of a main traffic arterial highway, the opening, widening, extending, grading, altering the grade of, diverting or improving a street or the opening or establishing of a new street or the construction of a bridge as part of a street, and the council is of opinion, by resolution passed by a vote of three-fourths of all the members, that it would be inequitable to impose upon the lots fronting or abutting on the work or any of them, the special assessment required to be imposed thereon by the provisions of *The Local Improvement Act* the council may in the by-law for undertaking the work, to be passed by a vote of three-fourths of all the members and with the approval of the Ontario Municipal Board exempt any such lot from special assessment for the work, or make a reduction in the special assessment which would otherwise be chargeable thereon by deducting from the total frontage of the lot liable to special

Authority to totally or partially exempt properties from frontage rates on main traffic arteries.

assessment so much thereof as is sufficient to make such reduction.

Amount of exemptions, —how borne. (2) The amount of any special assessment involved in any exemption or reduction made pursuant to subsection 1 shall be added to and form part of the corporation's portion of the cost of the work.

Approval by Municipal Board. (3) The approval of the Ontario Municipal Board may be given at any time prior to the council passing the by-law for undertaking the work.

Ferry agreement extended. 1929, c. 124. 6. The agreement dated the 25th day of July, 1927, made between the corporation of the city of Toronto and the Toronto Transportation Commission set out in schedule "B" to chapter 124 of the Acts passed in the nineteenth year of the reign of His Majesty King George V, shall be legal, valid and binding upon the parties thereto until the 28th day of March, 1935.

Commence-ment of Act. 7. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1934.

## SCHEDULE

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*Firstly:*—All and singular that certain parcel or tract of land and premises situate, lying and being in the township of Etobicoke, in the county of York and Province of Ontario, being composed of part of lot one in the fifth range of the Kingsmill Reserve, part of the road allowance between lots "F" and one, township of Etobicoke and part of lot twenty-three, registered plan number 1176, York, and which said parcel is more particularly described as follows: commencing where an iron bar has been planted in the southeasterly limit of the Lake Shore Road at the intersection of the northeasterly limit of a road 30 feet wide lying immediately to the west of the lands formerly owned by Chas. Nurse, which road was opened by by-law No. 436 of the municipal council of the township of Etobicoke; thence southeasterly along the said northeasterly limit of the 30-foot road nine and ninety-one hundredths feet (9.91); thence northeasterly in a straight line three hundred and fifty-one and three-tenths feet to a point in the northeasterly limit of the water lot patented to Chas. Nurse by C.L.S. 46817, the said point being distant fifty-eight and three-tenths feet measured northwesterly along the said northeasterly limit of the Nurse water lot from its intersection with the southerly limit of the road allowance between lots "F" and one, township of Etobicoke, closed by by-law No. 433 of the municipal council of the township of Etobicoke; thence northwesterly along the said northeasterly limit of the Nurse water lot to the high water mark on the west bank of the Humber River; thence northerly along the last-mentioned limit to the southeasterly limit of the Lake Shore Road; thence southwesterly along the said southeasterly limit to the place of beginning.

*Secondly:*—All that parcel or tract of land and premises situate, lying and being in the township of Etobicoke, in the county of York and Province of Ontario, being composed of part of lot one in the fifth range of the Kingsmill Reserve, part of the road allowance between lots "F" and one, township of Etobicoke and part of lot twenty-three, registered plan number 1176, York, and which said parcel is more particularly described as follows: commencing where an iron bar has been planted in the southeasterly limit of the Lake Shore Road at the intersection of the northeasterly limit of a road 30 feet wide lying immediately to the west of the lands formerly owned by Chas. Nurse, which road was opened by by-law No. 436 of the municipal council of the township of Etobicoke; thence southeasterly along the said northeasterly limit of the 30-foot road nine and ninety-one hundredths feet (9.91); thence northeasterly in a straight line three hundred and fifty-one and three-tenths feet to a point in the northeasterly limit of the water lot patented to Chas. Nurse by C.L.S. 46817, the said point being distant fifty-eight and three-tenths feet measured northwesterly along the said northeasterly limit of the Nurse water lot from its intersection with the southerly limit of the road allowance between lots "F" and one, township of Etobicoke, closed by by-law No. 433 of the municipal council of the township of Etobicoke; thence northwesterly along the said northeasterly limit of the Nurse water lot to the high water mark on the west bank of the Humber River; thence northerly along the last-mentioned limit to the southeasterly limit of the Lake Shore Road; thence southwesterly along the said southeasterly limit to the place of beginning.



(5) Two members of the court of revision shall form a Quorum.  
quorum.

(6) Except as aforesaid the provisions of *The Assessment Act* shall apply to the court of revision.

Application  
of  
Rev. Stat.,  
c. 238.

4. The corporation may pass a by-law or by-laws to borrow on the credit of the corporation by the issue and sale of debentures payable in not more than thirty years from the date thereof, such sum or sums as may be necessary to repay the temporary advances and to defray the corporation's share of the cost of the reconstruction of the bridge over the tracks of the Canadian National Railway on Sandwich Street within the limits of the corporation, and no such by-law or by-laws shall require the assent of the electors entitled to vote on money by-laws or the approval of the Ontario Municipal Board under the provisions of *The Municipal Act*.

Authority  
to issue  
debentures  
for  
Sandwich  
Street  
Bridge.

5.—(1) All sales of land within the town of Walkerville made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the town of Walkerville or its treasurer for arrears of taxes in respect to the land sold are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor, treasurer and of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the land was sold.

Confirma-  
tion of  
tax sales and  
conveyances.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending  
litigation  
not  
affected.

6. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1934.

Commence-  
ment of Act.

## CHAPTER 101.

## An Act respecting the City of Welland.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the city of Welland has by its petition represented that by its by-law number 842, 1933, and an agreement entered into pursuant thereto with the assent of the electors qualified to vote thereon, a fixed assessment was granted to Plymouth Cordage Company, and it is desirable to have the said by-law and agreement validated by special legislation for which it has prayed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Welland Act, 1934*

By-law  
No. 842  
and  
agreement  
fixing  
assessment  
of Plymouth  
Cordage Co.  
confirmed.

2. By-law number 842, 1933, of the corporation of the city of Welland passed on the 20th day of June, 1933, and the agreement entered into pursuant thereto, dated the 2nd day of May, 1933, made between Plymouth Cordage Company and the said corporation granting to the said company a fixed assessment in respect of the lands, for the period and upon the terms therein set forth, are and each of them is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Plymouth Cordage Company, its successors and assigns.

Commence-  
ment of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

## CHAPTER 102.

## An Act respecting the Town of Weston.

*Assented to April 3rd, 1934.*

**W**HEREAS the corporation of the town of Weston has Preamble.  
by its petition prayed for special legislation in respect  
of the matters hereinafter set forth; and whereas it is expedient  
to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent  
of the Legislative Assembly of the Province of Ontario, enacts  
as follows:

1. This Act may be cited as *The Town of Weston Act, 1934.* Short title.

The following by-laws passed by the council of the Validation  
of debenture  
by-laws.  
corporation of the town of Weston and all debentures to be  
issued thereunder and all rates and assessments to be levied  
for the payment thereof as provided in the said by-laws are  
hereby ratified and confirmed and declared to be legal, valid  
and binding on the said corporation and the ratepayers thereof,  
namely:

(a) By-law number 747 passed on the 11th day of By-law  
No. 747.  
September, 1933, to authorize the borrowing of  
\$10,000 upon debentures to pay for the extension of  
the waterworks system of the town of Weston as  
in the said by-law particularly set out.

(b) By-law number 773 passed on the 15th day of By-law  
No. 773.  
January, 1934, to authorize the borrowing of \$7,000  
upon debentures to pay for the completion of the  
improvement, extension, alteration and enlargement  
of the existing waterworks system of the town of  
Weston by the installation of a deep well water  
supply system together with connecting mains and  
other appurtenances.

3. This Act shall come into force on the day upon which Commence-  
ment of Act.  
it receives the Royal Assent.

## CHAPTER 103.

## An Act respecting the Village of Woodbridge.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the village of Woodbridge has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Village of Woodbridge Act, 1934.*

Minutes of settlement of certain actions ratified.

**2.** The minutes of settlement of the action in the Supreme Court, wherein Samuel Plunkett and others are plaintiffs and W. Robinson & Son Converters Limited and the village of Woodbridge are defendants, and of the action in which W. Robinson & Son, Limited, is plaintiff and the said village is defendant, as set out in schedule "A", are ratified and confirmed and declared to be legal, valid and binding upon the corporation of the said village and the ratepayers thereof.

Council authorized to complete settlement.

**3.** The council of the corporation of the said village may undertake and complete all works and other matters necessary and may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers, notwithstanding the requirements of any general or special Act to the contrary.

Commencement of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE "A"

## IN THE SUPREME COURT OF ONTARIO

BETWEEN:

SAMUEL PLUNKETT, ROBERT PLUNKETT, MURRAY  
COLES, GOLDWIN JURY, ROBERT JOHNSTON and  
ANDREW SHAW,

Plaintiffs,

—and—

W. ROBINSON & SON CONVERTERS LIMITED and  
THE CORPORATION OF THE VILLAGE OF WOODBRIDGE,

Defendants,

AND BETWEEN:

W. ROBINSON &amp; SON, LIMITED,

Plaintiff,

—and—

THE MUNICIPAL CORPORATION OF THE VILLAGE OF  
WOODBRIDGE,

Defendants.

## MINUTES OF SETTLEMENT

These actions are settled upon the following terms:

1. The Defendant Company will pay the Farmer Plaintiffs within one week the sum of \$5,000.00 in full of all damages and costs, such damages to include any and all loss, damage, etc., now or hereafter up to the first day of June, 1934, to be sustained by the Farmer Plaintiffs against both Defendants or either of them. As between the Defendants the Municipality shall subject to paragraph 4 (g) bear \$2,000.00 as its share and the Companies shall bear \$3,000.00 of the said sum of \$5,000.00.

2. There will be an injunction restraining the Defendants from polluting the stream in question which injunction shall take effect from and after the 1st day of June, 1934.

3. On payment of the said sum of \$5,000.00 the Farmer Plaintiffs shall obtain and deliver to the Defendants a release of all claims for damages, if any, of the registered owner of the farm occupied by the Plaintiff Jury as against the Defendants or either of them.

4. As between the Companies and the Municipality it is further agreed as follows:

(a) The Companies will proceed as soon as practicable next spring to install a system to take care and properly dispose of all effluent, discharge and other matter from its factory, lands and buildings and will assume full responsibility from and after the date when the said injunction becomes effective for any and all damage occasioned thereafter by the discharge of any effluent, including all drainage, sewage, refuse, trade waste, industrial waste, dye water, dye stuff, dye waste, bleaching water and any and all other discharge of every kind and nature from its factory lands and buildings and any extensions thereto into the stream in question or on to the lands and premises of any person or persons whatsoever and will indemnify the Municipality from any loss, cost or damage for which the Municipality may be liable to any other person or which it may suffer or incur by reason of such liability and the Companies will release the Municipality from paragraph Number 4 of the Agreement, dated 15th day of September, 1926; the said paragraph Number 4 to be deleted and cancelled.

(b) The Municipality will procure to be conveyed to and vested in the Companies the land lying west of the present lands of the Companies and east of the centre line of the said stream from the southern limit of the Companies' land northerly to a point twenty feet north of the present discharge pipe from the Companies' bleaching plant. The Municipality

will

will release the lands of the Companies, described in Deed, dated September 15, 1926, registered No. 14547, Vaughan, and No. 1272, Woodbridge, from the reservation contained in the said Deed to the Companies. The Companies will on or before the date when the said injunction becomes effective disconnect all pipes now connecting the factory lands, buildings and premises of the Companies to the stream in question and all pipes, communications, etc., connecting the septic tank and filter bed, etc., to the stream and will take full responsibility for the operation of all disposal works now situated or hereafter to be constructed upon the premises.

(c) The Municipality will add 12 feet to the height of its stand-pipe for water supply purposes and will operate the same in a reasonable manner in accordance with paragraph 3, contained in the Agreement dated September 15, 1926. The following provision in the said Agreement, dated September 15, 1926, "and a pressure of forty pounds per square inch" shall be forthwith deleted and any and all claims of the Companies in respect of the supply and pressure of water heretofore are hereby released and discharged.

(d) The Municipality will submit to the vote of its ratepayers at an early date a by-law extending the provisions as to supply of water to the Companies contained in the Agreement, dated 15th September, 1926 (except the provision as to pressure) for a period of ten years from the 1st day of January, 1937.

(e) The said by-law shall also provide that the assessment of the Companies and its property for all purposes of Municipal taxation, except school taxes and local improvements, shall not exceed the sum of \$4,000.00 for a period of ten years from the expiry of the provision as to a fixed assessment contained in said agreement of 15th September, 1926.

(f) In the event of the said by-law receiving the assent of a majority of ratepayers voting thereon, the Municipality shall apply to the Provincial Legislature at its session in 1934 for an Act to ratify and validate the said by-law and upon the passing of such an Act the terms of said by-law and legislation shall be evidenced by a binding agreement in writing between the Municipality and the Companies.

(g) In case the by-law aforesaid should fail to receive the assent of a majority of the ratepayers or in case the Legislature should fail to ratify and validate said by-law, the provisions in clauses (a) and (b) hereinbefore contained shall not be effective nor shall the provision in clause 1 as to the division of the burden of the \$5,000.00 between the Defendants and the provision as to costs hereinafter contained and the Companies and the Municipality shall both be at large as to the matters at issue between them and as to their liability respectively to the Farmer Plaintiffs as if no settlement had been made with the latter except that it shall be deemed to have been determined that the Plaintiffs are entitled to recover \$5,000.00 from one or both of the Defendants and the issues between the Defendants and the issue as to whether the one or other of them or both are liable to the Farmer Plaintiffs shall be determined between them in these actions without regard to the terms of this agreement and the rights and liabilities of the Companies and the Municipality shall (except as aforesaid) be the same as if this agreement had not been made, and the question as to which of the parties other than the Farmer Plaintiffs shall be charged with payment of the said sum of \$5,000.00 or in what proportion they shall be charged shall be determined in these actions.

(h) To enable the Municipality to provide the funds necessary to pay its share of the \$5,000.00 to be paid the Plaintiffs and to extend its stand-pipe as herein provided, the Companies will lend the Municipality, if it so desires, a sum not to exceed \$3,500.00 which shall become a debt of the Municipality and the Municipality will give the Companies its debentures (to be authorized by by-law aforesaid or by other valid by-law) for the amount so advanced at par with interest at five per cent. per annum, the said debentures to mature in ten years from the date of the advance; and (subject to the terms of paragraph (g) hereof) in default of the delivery of such debentures or the repayment of the moneys advanced with interest at the rate aforesaid, not later than the 1st day of June, 1934,

the Companies shall be entitled to enter Judgment therefor against the Municipality in the secondly above mentioned action.

(i) Any by-law or by-laws, any bill for the ratification thereof by the Legislature and any agreement to be made to carry out the terms of this settlement shall be settled between the Solicitors for the Companies and for the Municipality, and in the event of their being unable to agree shall be settled by the Master.

(j) Each of the parties shall pay its own costs.

(k) If W. Robinson & Sons Limited desire to surrender its charter and its assets are transferred to W. Robinson & Son Converters Limited the rights and obligations of the former Company hereunder and under the Agreement of 15th September, 1926, as hereby amended shall become those of W. Robinson & Son Converters Limited.

(l) Upon the provisions of clauses (a) to (k) being carried out the Company's action shall be dismissed without costs.

Dated at Toronto this 26th day of December, 1933.

"MCMASTER, MONTGOMERY, FLEURY & Co.,"  
Solicitors for W. Robinson & Son, Ltd., and  
W. Robinson & Son Converters, Ltd.

"SKEANS, HOOPER & HOWELL,"  
Solicitors for the Municipal Corporation of the  
Village of Woodbridge.

"CAMPBELL LINE, Richmond Hill, Ontario,"  
Solicitor for S. Plunkett and Robert Plunkett,  
M. Coles, R. Johnston, G. Jury and A. Shaw,  
the Plaintiffs.

## CHAPTER 104.

## An Act respecting the Township of York.

*Assented to April 3rd, 1934.*

Preamble.

**W**HEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1934*.

Formation  
of Board of  
Education  
and powers  
and status  
of board.

2.—(1) The collegiate institute board of the township of York and the York township public school board are hereby united and shall hereafter form one board, and shall be a corporation by the name of "The Board of Education for the Township of York," hereinafter referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

Composi-  
tion of  
Board.

(2) The board of education shall consist of eleven members to be elected or appointed as hereinafter provided:

- (a) Three of the members shall be elected from ward 1 and two members shall be elected from each of wards 2 and 3;
- (b) Three members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*;
- (c) One member shall be appointed annually by the York township separate school board at its first meeting in each year or so soon as may be thereafter.

(3) Upon the organization of the board of education the members of the said collegiate institute board and of the said public school board then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the township of York and in the York township public school board shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Vesting of school properties in the board.

(4) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Election by ballot.

Rev. Stat., c. 233.

(5) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education for each ward, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Form of ballot.

(6) Every ratepayer who resides in the township and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. Every person elected as a member of the board of education shall hold office for the term of one year and until his successor is elected and the new board organized.

Qualifications of members of board.

Rev. Stat., c. 323.

(7) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as supporters of separate schools and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a supporter of separate schools.

Qualifications of voters.

First  
meeting.

(8) The first meeting of the board of education in the year 1936 shall be held on the first Wednesday in February at the hour of eight o'clock in the evening at York Memorial Collegiate Institute.

Annual  
organization  
meeting.

(9) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in the year 1937 and in each year thereafter on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

Application  
of  
Rev. Stat.,  
c. 327.

(10) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

Application  
of general  
school laws.

(11) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the township of York and to the board of education as if the said township were an urban municipality not separated from a county.

Dissolution  
of Union  
Sections.

Rev. Stat.,  
c. 323.

(12) Upon the dissolution of any Union School Section formed under *The Public Schools Act* between part of the township of York and any adjoining municipality that part thereof within the said township shall thereafter be under the jurisdiction of the board of education for public school purposes as well as for high school purposes.

1932,  
c. 96, s. 6,  
not affected.

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public and separate schools as provided in section 6 of *The Township of York Act, 1932*, and the said grants shall continue to be paid as therein provided.

Grants not  
affected.

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of York shall be reduced by reason of any of the provisions of this section.

When  
section 2  
effective.

(15) This section shall come into force and take effect on the 21st day of December, 1935, but the trustees of the said collegiate institute board and of the said public school board shall remain in office until the board of education has been organized.

1932, c. 96,  
s. 5 amended.

3. Section 5 of *The Township of York Act, 1932*, is amended by adding thereto the following subsection:

- (17) Notwithstanding any of the provisions of subsection 13 of this section, the provisions of clause *d* of section 88 of *The Public Schools Act* relating to rural schools shall apply to the school board and to the schools under its jurisdiction until the 31st day of December, 1935, as if the said township had continued to be divided into rural school sections.

Application of certain provisions of Rev. Stat. c. 323, s. 88, cl. *d* to School Board.

4. The said corporation may enter into agreements with the corporation of the county of York in matters relating to hospitalization of indigent persons who are residents of the said township, and any such agreement when approved by the Minister of Health shall be legal, valid and binding upon the said corporations and they shall have power to carry out their respective obligations and exercise their respective rights thereunder.

County agreement authorized.

5.—(1) All sales of land within the township of York made prior to the 31st day of December, 1932, and purporting to have been made by the corporation of the township of York or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending litigation not affected.

6. By-law No. 11335 of the said corporation passed on the 5th day of February, 1934, entitled "A by-law to delete certain lands which cannot be served by sewers from St. Clair Sewerage Area No. 1" is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 11335 confirmed.

7. This Act, other than sections 2 and 5, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the date provided therein and section 5 shall come into force on the 1st day of July, 1934.

Commencement of Act.



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Fifth Session, Eighteenth Legislature  
24 George V, 1934

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# TABLE OF PUBLIC STATUTES 1927-1934

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## TABLE SHOWING THE EXISTING ACTS OF THE PROVINCE OF ONTARIO WITH AMENDMENTS THERETO, INCLUDING THE STATUTES FOR THE YEARS 1928 TO 1934

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NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

*Abbreviations.*—aff.=affecting; am.=amending; c.=chapter; rep.=repealing; R.S.O.=Revised Statutes of Ontario; s=section; sub.=substituting; sup.=superseding.

### A

ABITIBI CANYON POWER DEVELOPMENT ACT. 1933, c. 1.

ABSCONDING DEBTOR'S ACT. R.S.O. 1927, c. 114.

ABSENTEE ACT. R.S.O. 1927, c. 108.

ACCIDENT. *See* Fatal Accidents Act; Workmen's Compensation Act; Blind Workmen's Compensation Act.

ACCIDENTAL FIRES ACT. R.S.O. 1927, c. 146.

ACCIDENT PREVENTION. *See* Fire; Factory, Shop and Office Building Act; Mining Act; Threshing Machines Act.

ACCOUNTANTS. *See* Chartered Accountants Act.

ACCUMULATIONS ACT. R.S.O. 1927, c. 138.

ADMINISTRATION OF ESTATES. *See* Crown Administration of Estates Act; Devolution of Estates Act; Public Trustee Act; Settled Estates Act; Succession Duty Act; Surrogate Courts Act; Trustee Act.

ADMINISTRATION OF JUSTICE EXPENSES ACT. R.S.O. 1927, c. 126; 1928, c. 21, s. 7 am.; 1929, c. 40 am.

ADOLESCENT SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 333; 1932, c. 42, ss. 24, 25 am.

ADOPTION ACT. R.S.O. 1927, c. 189; 1928, c. 29 am.; 1929, c. 23, s. 11 am.; 1931, c. 23, s. 16 am.

AGENTS. *See* Factors Act.

AGRICULTURAL ASSOCIATIONS ACT. R.S.O. 1927, c. 70; 1931, c. 19 am.

AGRICULTURAL COLLEGE ACT. R.S.O. 1927, c. 339.

AGRICULTURAL DEVELOPMENT ACT. R.S.O. 1927, c. 68; 1928, c. 21, s. 3 am.

AGRICULTURAL DEVELOPMENT FINANCE ACT. R.S.O. 1927, c. 67; 1932, c. 53, s. 6 am.; 1933, c. 59, s. 4 am.

AGRICULTURAL REPRESENTATIVES ACT. R.S.O. 1927, c. 73; 1931, c. 20 am.

AGRICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 71; 1932, c. 53, s. 7 am.

AGRICULTURE. *See* Agricultural Associations Act; Agricultural College Act; Agricultural Development Act; Agricultural Development Finance Act; Agricultural Representatives Act; Agricultural Societies Act; An Act respecting Dominion Agricultural Credit Company, Limited; Consolidated Cheese Factories Act; Corn Borer Act; County Publicity Act; Dairy; Department of Agriculture Act; Farm Loans Act; Fruit Act; Live Stock and Products Act; Ontario Marketing Act; Protection of Cattle Act; Seed Grain Subsidy Act.

ALBERTA COAL SALES ACT. 1929, c. 70.

ALIEN'S REAL PROPERTY ACT. R.S.O. 1927, c. 136.

AMUSEMENTS TAX ACT. R.S.O. 1927, c. 32; 1932, c. 9 am.

AN ACT TO CONFIRM THE REVISED STATUTES OF ONTARIO, 1927. 1928, c. 2.

- AN ACT FOR GRANTING TO HIS MAJESTY CERTAIN SUMS OF MONEY FOR THE PUBLIC SERVICE. 1928, c. 1; 1929, c. 1; 1930, c. 1; 1931, c. 1; 1932, c. 1; 1933, c. 62; 1934, c. 57.
- AN ACT FOR RAISING MONEY ON THE CREDIT OF THE CONSOLIDATED REVENUE FUND. 1928, c. 6; 1929, c. 2; 1930, c. 2; 1931, c. 2; 1932, c. 2; 1933, c. 45; 1934, c. 5.
- AN ACT RESPECTING CERTAIN LANDS OF THE CANADIAN GENERAL ELECTRIC COMPANY, LIMITED, IN THE COUNTY OF WELLAND. 1928, c. 20.
- AN ACT RESPECTING DOMINION AGRICULTURAL CREDIT COMPANY, LIMITED. 1931, c. 18.
- AN ACT RESPECTING THE TORONTO GENERAL HOSPITAL. R.S.O. 1927, c. 358; 1928, c. 58 aff.; 1931, c. 140 am.
- ANATOMY ACT. R.S.O. 1927, c. 197; 1931, c. 39 am.
- ANDREW MERCER REFORMATORY ACT. R.S.O. 1927, c. 346; 1931, c. 23, s. 23 am.
- ANIMALS. *See* Branding of Live Stock Act; Dog Tax and Sheep Protection Act; Entry of Horses at Exhibitions Act; Injured Animals Act; Game and Fisheries Act; Stallion Act; Protection of Cattle Act; Vicious Dogs Act.
- APPEALS. *See* Privy Council Appeals Act.
- APPORTIONMENT ACT. R.S.O. 1927, c. 191.
- APPRENTICESHIP ACT. 1928, c. 25; 1930, c. 21, s. 20 am.; 1931, c. 36 am.; 1932, c. 44 am.
- ARBITRATION. *See* Arbitration Act; Damage by Fumes Arbitration Act; Municipal Arbitrations Act.
- ARBITRATION ACT. R.S.O. 1927, c. 97.
- ARCHITECTS ACT. R.S.O. 1927, c. 203; 1931, c. 43 rep. and sup.
- ARCHIVES ACT. R.S.O. 1927, c. 80.
- ARREST. *See* Fraudulent Debtors' Arrest Act.
- ASSEMBLY. *See* Legislative Assembly Act.
- ASSESSMENT ACT. R.S.O. 1927, c. 238; 1928, c. 39 am.; 1929, c. 63 am.; 1930, c. 46 am.; 1931, c. 51 am.; 1932, c. 31 am., c. 53, s. 26 am., s. 28 (3) am.; 1933, c. 2 am., 1934, c. 1, am.; 1934, c. 54, s. 2 aff.
- ASSIGNMENT OF BOOK DEBTS ACT. R.S.O. 1927, c. 166; 1931, c. 35 rep. and sup.; 1932, c. 48 am.; 1933, c. 59, s. 36 am.
- ASSIGNMENTS AND PREFERENCES ACT. R.S.O. 1927, c. 162.
- ASSURANCES OF ESTATES TAIL. *See* Estates Tail Act.
- ATHLETIC COMMISSION ACT. R.S.O. 1927, c. 261; 1928, c. 21, s. 21 am.; 1929, c. 23, s. 13 am.; 1930, c. 21, s. 16 am.
- ATHLETICS. *See* Athletic Commission Act; Community Halls Act.
- AUCTIONEERS. *See* Provincial Auctioneers' License Act.
- AUDIT ACT. R.S.O. 1927, c. 25; 1930, c. 21, s. 2 am.
- (AUTOMOBILE) INSURANCE ACT. 1932, c. 25.
- AUXILIARY CLASSES ACT. R.S.O. 1927, c. 324.

## B

- BARBERRY SHRUB ACT. R.S.O. 1927, c. 311; 1929, c. 81 rep. and sup.
- BARRISTERS ACT. R.S.O. 1927, c. 193; 1934, c. 54, s. 3 am.
- BATTLE OF RIDGEWAY MEMORIAL PARK ACT. 1934, c. 2.
- BEACH PROTECTION ACT. R.S.O. 1927, c. 298; 1929, c. 77 aff.
- BEACHES AND RIVER BEDS ACT. R.S.O. 1927, c. 299; 1929, c. 77 aff.
- BED OF NAVIGABLE WATERS ACT. R.S.O. 1927, c. 42.
- BEES ACT. R.S.O. 1927, c. 314; 1931, c. 65 am.
- BILLIARD ROOMS. *See* Minors' Protection Act.
- BILLS OF SALE AND CHATTEL MORTGAGE ACT. R.S.O. 1927, c. 164; 1932, c. 53, ss. 15, 16 am.; 1933, c. 3 am.
- BIRDS. *See* Protection of Birds Act.
- BIRTHS. *See* Vital Statistics Act.
- BLIND WORKMEN'S COMPENSATION ACT. 1931, c. 38.
- BOARDS OF EDUCATION ACT. R.S.O. 1927, c. 327; 1928, c. 53, s. 7 am.; 1929, c. 84, s. 12 am.; 1930, c. 63, s. 18 rep., s. 19 am.; 1931, c. 71, s. 14 am.; 1933, c. 58, s. 30 am.; 1934, c. 52, s. 14 am.
- BOILERS. *See* Steam Boiler Act.
- BONUS LIMITATION ACT. R.S.O. 1927, c. 234.
- BOOK DEBTS. *See* Assignment of Book Debts.
- BOUNDARIES. *See* Ontario and Manitoba Boundary Line Act.

BOUNTY. *See* Wolf Bounty Act.

BOYS' WELFARE HOME AND SCHOOL ACT. R.S.O. 1927, c. 282; 1928, c. 49 am.; 1931, c. 60 rep. and sup. *See* Ontario Training Schools Act.

BRANDING OF LIVE STOCK ACT. R.S.O. 1927, c. 305.

BREAD SALES ACT. R.S.O. 1927, c. 268.

BUILDING TRADES PROTECTION ACT. R.S.O. 1927, c. 274.

BULK SALES ACT. R.S.O. 1927, c. 167; 1928, c. 24 am.; 1933, c. 4 am.

BUREAU OF MUNICIPAL AFFAIRS ACT. R.S.O. 1927, c. 232; 1932, c. 27, s. 165 rep.

BURIAL GROUNDS. *See* Cemetery Act.

BURLINGTON BEACH ACT. R.S.O. 1927, c. 83; 1930, c. 20, rep. and sub.

BUTTER. *See* Cheese and Butter Exchanges Act; Dairy; Milk, Cheese and Butter Act.

## C

CANADA FOUNDRY COMPANY SITES ACT. 1928, c. 20; 1930, c. 21, s. 21 rep.

CATTLE. *See* Branding of Live Stock Act. Protection of Cattle Act.

CEMETERY ACT. R.S.O. 1927, c. 317; 1931, c. 68 am.; 1932, c. 40 am.; 1933, c. 5 am.

CEMETERIES. *See* Cemetery Act; Registry Act.

CENTRAL ONTARIO POWER ACT. 1930, c. 13.

CHARITABLE INSTITUTIONS ACT. 1931, c. 79. *See* Department of Public Welfare Act.

CHARITIES ACCOUNTING ACT. R.S.O. 1927, c. 152; 1930, c. 33 am.

CHARTERED ACCOUNTANTS ACT. R.S.O. 1927, c. 205.

CHARTERED SHORTHAND REPORTERS ACT. R.S.O. 1927, c. 204; 1933, c. 60 am.

CHEESE. *See* Cheese and Butter Exchanges Act; Consolidated Cheese Factories Act; Dairy Products Act; Milk, Cheese and Butter Act.

CHEESE AND BUTTER EXCHANGES ACT. R.S.O. 1927, c. 231.

CHILDREN. *See* Adoption Act; Apprenticeship Act; Auxiliary Classes Act; Boys' Welfare Home and School Act; Children's Maintenance Act; Children's Protection Act; Children of Unmarried Parents Act; Dependants' Relief Act; Deserted Wives' and Children's Maintenance Act; Infants Act; Juvenile Courts Act; Legitimation Act; Maternity Boarding House Act; Mothers' Allowances Act; Minors' Protection Act; Ontario Training Schools Act.

CHILDREN'S MAINTENANCE ACT. 1931, c. 34.

CHILDREN OF UNMARRIED PARENTS ACT. R.S.O. 1927, c. 188; 1928, c. 28 am.; 1929, c. 23, s. 10 am.; 1931, c. 23, s. 15 am.; 1932, c. 53, s. 18 am.; 1933, c. 59, s. 21 am.

CHILDREN'S PROTECTION ACT. R.S.O. 1927, c. 279; 1928, c. 46 am.; 1929, c. 23, s. 15 am.; 1930, c. 54 am.; 1931, c. 59 am.; 1932, c. 37, ss. 2-7 am., s. 8 aff.; 1933, c. 59, s. 26 am.; 1934, c. 3 am.

CIRCUS. *See* Travelling Shows Act.

CIVIL SERVICE. *See* Public Service.

COLLECTION AGENCIES ACT. 1932, c. 51; 1933, c. 6, rep. and sub.

COLLEGE OF ART ACT. R.S.O. 1927, c. 342; 1932, c. 42, s. 26 am.

COLONIZATION ROADS ACT. R.S.O. 1927, c. 37; 1928, c. 13 am.; 1931, c. 12 am.

COMMISSIONERS FOR TAKING AFFIDAVITS ACT. R.S.O. 1927, c. 109; 1933, c. 59, s. 13 am.

COMMUNITY HALLS ACT. R.S.O. 1927, c. 247; 1932, c. 53, s. 27 am.; 1934, c. 4 am.; 1934, c. 54, s. 5 aff.

COMPANIES. *See* Companies Act; Companies Information Act; Corporation Securities Registration Act; Extra-Provincial Corporations Act; Minority Shareholders Rights Act; Real Estate Brokers Act; Securities Act.

COMPANIES ACT. R.S.O. 1927, c. 218; 1928, c. 32 am.; 1929, c. 49 am.; 1930, c. 37 am.; 1931, c. 46 am.; 1932, c. 53, ss. 21, 22 am., s. 23 aff.; 1933, c. 7 am.; 1934, c. 54, s. 6 am.

COMPANIES INFORMATION ACT. 1928, c. 33; 1929, c. 50 am.; 1930, c. 38 am.; 1931, c. 47 am.; 1932, c. 53, s. 35 am.; 1933, c. 59, s. 31 am.; 1934, c. 54, s. 7 am.

COMPENSATION. *See* Blind Workmen's Compensation Act; Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation Insurance Act.

CONDITIONAL SALES ACT. R.S.O. 1927, c. 165; 1929, c. 23, s. 8 am.; 1931, c. 23, s. 12 am.; 1932, c. 18 am.; 1933, c. 8 am.

CONSOLIDATED CHEESE FACTORIES ACT. R.S.O. 1927, c. 77.

CONSOLIDATED REVENUE FUND ACT. R.S.O. 1927, c. 22.

CONSTABLES ACT. R.S.O. 1927, c. 125; 1929, c. 39 am.; 1934, c. 54, s. 8 am.

- CONSTITUTIONAL QUESTIONS ACT. R.S.O. 1927, c. 117.
- CONTINUATION SCHOOLS ACT. R.S.O. 1927, c. 325; 1928, c. 53, s. 3 am.; 1929, c. 84, ss. 5, 6 am.; 1930, c. 63, ss. 12, 13 am.; 1931, c. 71, s. 8 am.; 1932, c. 42, ss. 15, 16 am.; 1933, c. 58, ss. 19-22 am.
- CONTRIBUTORY NEGLIGENCE ACT. R.S.O. 1927, c. 103; 1930, c. 27, s. 9 rep. and sup.
- CONTROVERTED ELECTIONS ACT. R.S.O. 1927, c. 11; 1928, c. 4 am.
- CONVEYANCING. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.
- CONVEYANCING AND LAW OF PROPERTY ACT. R.S.O. 1927, c. 137; 1933, c. 9 am.; 1934, c. 6 am.
- CO-OPERATIVE CREDIT SOCIETIES ACT. 1922, c. 64.
- CO-OPERATIVE MARKETING LOAN ACT. R.S.O. 1927, c. 75; 1932, c. 16 rep. and sup.; 1934, c. 7 am.
- CORN BORER ACT. R.S.O. 1927, c. 312; 1929, c. 23, s. 17 am.
- CORONERS ACT. R.S.O. 1927, c. 123; 1931, c. 31 am.; 1932, c. 53, ss. 12, 13 am.
- CORPORATION SECURITIES REGISTRATION ACT. 1932, c. 50.
- CORPORATIONS TAX ACT. R.S.O. 1927, c. 29; 1928, c. 21, s. 1 am.; 1930, c. 6 am.; 1931, c. 8 am.; 1932, c. 8 am.; 1933, c. 10 am.
- COSTS OF DISTRESS ACT. R.S.O. 1927, c. 110; 1929, c. 34 am.; 1931, c. 28, s. 2 rep., ss. 3, 4 am.
- COUNTIES REFORESTATION ACT. R.S.O. 1927, c. 289.
- COUNTY COURT JUDGES' CRIMINAL COURTS ACT. R.S.O. 1927, c. 93; 1934, c. 54, s. 9 am.
- COUNTY COURTS ACT. R.S.O. 1927, c. 91; 1928, c. 21, s. 5 am.
- COUNTY JUDGES ACT. R.S.O. 1927, c. 90; 1928, c. 21, s. 18 am.; 1929, c. 23, s. 3 am.; 1930, c. 25, s. 2 am., s. 3 rep.; 1931, c. 27 am.; 1933, c. 59, s. 7 am.
- COUNTY PUBLICITY ACT. R.S.O. 1927, c. 74; 1930, c. 21, s. 5 am.
- COURTS. *See* Administration of Justice Expenses Act; County Court Judges' Criminal Courts Act; County Courts Act; County Judges Act; Division Courts Act; Dominion Courts Act; Extra-Judicial Services Act; General Sessions Act; Judicature Act; Jurors' Act; Justices of the Peace Act; Magistrates Act; Mining Act; Privy Council Appeals Act; Surrogate Courts Act.
- CREAM. *See* Dairy Products Act; Milk and Cream Act.
- CREDITORS RELIEF ACT. R.S.O. 1927, c. 113.
- CROWN ADMINISTRATION OF ESTATES ACT. R.S.O. 1927, c. 104; 1930, c. 28 am.
- CROWN ATTORNEYS ACT. R.S.O. 1927, c. 122; 1929, c. 38 am.; 1933, c. 59, s. 15 am.
- CROWN TIMBER ACT. R.S.O. 1927, c. 38; 1928, c. 14 am.; 1929, c. 23, s. 2 am.; 1934, c. 8 am.
- CROWN WITNESSES ACT. R.S.O. 1927, c. 127.
- CULLERS ACT. R.S.O. 1927, c. 209.
- CUSTODY OF DOCUMENTS ACT. R.S.O. 1927, c. 157.

## D

- DAIRY. *See* Consolidated Cheese Factories Act; Cheese and Butter Exchanges Act; Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.
- DAIRY PRODUCTS ACT. R.S.O. 1927, c. 267; 1930, c. 53 rep. and sup.
- DAMAGE BY FUMES ARBITRATION ACT. R.S.O. 1927, c. 49.
- DEATHS. *See* Vital Statistics Act.
- DEBT COLLECTORS ACT. R.S.O. 1927, c. 272.
- DEFINITION OF TIME ACT. R.S.O. 1927, c. 160.
- DENTISTRY ACT. R.S.O. 1927, c. 198; 1931, c. 40 am.; 1934, c. 9 am.
- DEPARTMENT OF AGRICULTURE ACT. R.S.O. 1927, c. 66.
- DEPARTMENT OF EDUCATION ACT. R.S.O. 1927, c. 322; 1930, c. 63, ss. 1, 2 am.; 1932, c. 53, s. 32 am.; 1933, c. 58, ss. 2, 3 am.; 1934, c. 52, s. 2 am.
- DEPARTMENT OF LABOUR ACT. R.S.O. 1927, c. 62; 1931, c. 15 am.; 1932, c. 15 am.
- DEPARTMENT OF PUBLIC WELFARE ACT. 1931, c. 5.
- DEPENDANTS' RELIEF ACT. 1929, c. 47; 1930, c. 35 am.

- DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. R.S.O. 1927, c. 184; 1933, c. 11 am.; 1934, c. 10 am.
- DEVOLUTION OF ESTATES ACT. R.S.O. 1927, c. 148; 1929, c. 42 am.; 1930, c. 21, s. 11 am.; 1931, c. 32 am.; 1933, c. 59, s. 16 am.
- DISTRICT COURT HOUSES ACT. R.S.O. 1927, c. 352.
- DISTRICT HOUSES OF REFUGE ACT. R.S.O. 1927, c. 349; 1931, c. 75 am.; 1933, c. 59, s. 29 am.
- DITCHES AND WATERCOURSES ACT. R.S.O. 1927, c. 316; 1931, c. 67 am.; 1934, c. 11 am.
- DIVISION COURTS ACT. R.S.O. 1927, c. 95; 1929, c. 30 am.; 1934, c. 12 am.
- DIVORCE. *See* Matrimonial Causes Act; Vital Statistics Act; Marriage Act, 1933.
- DOGS. *See* Dog Tax and Sheep Protection Act; Vicious Dogs Act.
- DOG TAX AND SHEEP PROTECTION ACT. R.S.O. 1927, c. 300; 1929, c. 78 am.; 1934, c. 13 am.
- DOMINION AGRICULTURAL CREDIT COMPANY, LIMITED. 1931, c. 18.
- DOMINION COMMISSIONERS OF POLICE ACT. R.S.O. 1927, c. 124.
- DOMINION COURTS ACT. R.S.O. 1927, c. 87.
- DON VALLEY IMPROVEMENT ACT. 1933, c. 12.
- DOWER ACT. R.S.O. 1927, c. 100; 1928, c. 21, s. 6 am.
- DRAINAGE. *See* Ditches and Watercourses Act; Interprovincial Drainage Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.
- DRUGLESS PRACTITIONERS ACT. R.S.O. 1927, c. 200; 1928, c. 45, s. 2 aff.; 1932, c. 53, s. 20 am.

## E

- EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; Boys' Welfare Home and School Act; College of Art Act; Continuation Schools Act; Department of Education Act; High Schools Act; Industrial Schools Act; Mining Schools Act; Ontario Training Schools Act; Public Schools Act; School Attendance Act; Schools for the Deaf and Blind Act; Separate Schools Act; University Act; Upper Canada College Act; Veterinary Science Practice Act; Vocational Education Act; School Law Amendment Act.
- EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1927, c. 284.
- ELECTION ACT. R.S.O. 1927, c. 8; 1928, c. 3 am.; 1929, c. 5 am.; 1930, c. 3 am.; 1932, c. 53, s. 2 am.; 1933, c. 13 am.; 1934, c. 14 am.
- ELECTIONS. *See* Municipal Act; Controverted Elections Act; Election Act; Political Contributions Act; Personation Act; Voters' Lists Act.
- ELECTRIC RAILWAYS. *See* Municipal Electric Railway Act; Railway Act; Hydro Electric Railway Act.
- EMBALMERS AND FUNERAL DIRECTORS ACT. 1928, c. 31; 1932, c. 45 am.; 1934, c. 54, s. 10 am.
- EMBALMERS AND UNDERTAKERS' ACT. R.S.O. 1927, c. 211; 1928, c. 31 rep. and sup.
- EMPLOYMENT AGENCIES ACT. R.S.O. 1927, c. 216.
- ENGINEERS. *See* Operating Engineers Act; Professional Engineers Act.
- ENTRY OF HORSES AT EXHIBITIONS ACT. R.S.O. 1927, c. 271.
- ESCHEATS ACT. R.S.O. 1927, c. 133.
- ESTATES TAIL ACT. R.S.O. 1927, c. 141.
- ESTREATS ACT. R.S.O. 1927, c. 128; 1928, c. 22 am.
- EVIDENCE ACT. R.S.O. 1927, c. 107; 1929, c. 33 am.; 1930, c. 29 am.; 1932, c. 53, s. 11 am.
- EXECUTION ACT. R.S.O. 1927, c. 112; 1929, c. 35 am.; 1933, c. 14 am.
- EXECUTIVE COUNCIL ACT. R.S.O. 1927, c. 14; 1930, c. 5 am.
- EXTRA JUDICIAL SERVICES ACT. R.S.O. 1927, c. 89.
- EXTRAMURAL EMPLOYMENT OF PERSONS UNDER SENTENCE ACT. R.S.O. 1927, c. 363.
- EXTRA PROVINCIAL CORPORATIONS ACT. R.S.O. 1927, c. 219; 1928, c. 21, s. 19 am.; 1929, c. 52 am.; 1932, c. 53, s. 24 am.; 1933, c. 59, s. 22 am.

## F

- FACTORS ACT. R.S.O. 1927, c. 168.
- FACTORY, SHOP AND OFFICE BUILDING ACT. R.S.O. 1927, c. 275; 1929, c. 72, ss. 2, 3, 9, 13 aff., ss. 4-8 and 10-12 am.; 1932, c. 35 rep. and sup.; 1933, c. 15 am.; 1934, c. 15 am.

- FARM LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Farm Loans Act.
- FARM LOANS ACT. R.S.O. 1927, c. 69.
- FATAL ACCIDENTS ACT. R.S.O. 1927, c. 183.
- FEDERAL DISTRICT COMMISSION ACT. 1934, c. 16.
- FEMALE PATIENTS AND PRISONERS PROTECTION ACT. R.S.O. 1927, c. 283.
- FEMALE REFUGES ACT. R.S.O. 1927, c. 347; 1932, c. 53, s. 33 am.
- FENCES. *See* Line Fences Act; Snow Roads and Fences Act.
- FERRIES ACT. R.S.O. 1927, c. 159.
- FINES AND FORFEITURES ACT. R.S.O. 1927, c. 129.
- FIRE. *See* Accidental Fires Act; Fire Accidents Act; Fire Departments Act; Fire Guardians Act; Fire Marshals Act; Fires Extinguishment Act; Forest Fires Prevention Act; Prevention of Accidents by Fire in Hotels Act; Railway Fire Charge Act.
- FIRE ACCIDENTS ACT. R.S.O. 1927, c. 296.
- FIRE DEPARTMENTS ACT. R.S.O. 1927, c. 245.
- FIRE GUARDIANS ACT. R.S.O. 1927, c. 293.
- FIRE MARSHALS ACT. R.S.O. 1927, c. 295; 1929, c. 76 am.; 1930, c. 61 am.; 1931, c. 62 am.; 1933, c. 16 am.
- FIREMEN. *See* Fire Departments Act; Firemen's Exemption Act.
- FIREMEN'S EXEMPTION ACT. R.S.O. 1927, c. 244.
- FIRES EXTINGUISHMENT ACT. R.S.O. 1927, c. 294.
- FOREST. *See* Forest Fires Prevention Act; Forestry Act; Private Forest Reserves Act; Provincial Forests Act.
- FOREST FIRES PREVENTION ACT. R.S.O. 1927, c. 291; 1930, c. 60 rep. and sup.; 1933, c. 17 am.; 1934, c. 17 am.
- FOREST RESERVES ACT. R.S.O. 1927, c. 40; 1929, c. 14, s. 12 rep.
- FORESTRY ACT. R.S.O. 1927, c. 41.
- FOWL. *See* Transportation of Fowl Act.
- FRAUD. *See* Alberta Coal Sales Act; Fraudulent Conveyances Act; Fraudulent Debtors' Arrest Act; Fruit Sales Act; Real Estate Brokers Act; Securities Act; Statute of Frauds.
- FRAUDULENT CONVEYANCES ACT. R.S.O. 1927, c. 134.
- FRAUDULENT DEBTORS' ARREST ACT. R.S.O. 1927, c. 115.
- FRUIT ACT. 1933, c. 18; 1934, c. 18 am.
- FRUIT PACKING ACT. R.S.O. 1927, c. 76; 1932, c. 53, ss. 8, 9 am.
- FRUIT PESTS ACT. R.S.O. 1927, c. 310.
- FRUIT SALES ACT. R.S.O. 1927, c. 269.
- FRUIT AND VEGETABLES CONSIGNMENT ACT. R.S.O. 1927, c. 270.
- FUEL OIL TAX ACT. 1932, c. 12.
- FUEL SUPPLY ACT. R.S.O. 1927, c. 51.
- FUR-BEARING ANIMALS KEPT IN CAPTIVITY ACT. R.S.O. 1927, c. 321.

## G

- GAME AND FISHERIES ACT. R.S.O. 1927, c. 318; 1928, c. 52 am.; 1929, c. 82 am.; 1930, c. 62 am.; 1931, c. 69 am.; 1932, c. 41 am.; 1933, c. 19 am.; 1934, c. 19 am.
- GAMING ACT. R.S.O. 1927, c. 260.
- GAOLS ACT. R.S.O. 1927, c. 351; 1931, c. 23, s. 25 am.
- GAS. *See* Natural Gas Conservation Act; Well Drillers Act.
- GASOLINE HANDLING ACT. 1934, c. 20.
- GASOLINE TAX ACT. R.S.O. 1927, c. 55; 1929, c. 18 am.; 1931, c. 23, s. 6 am.; 1932, c. 11 am.
- GENERAL PURCHASING AGENT'S ACT. R.S.O. 1927, c. 34.
- GENERAL SESSIONS ACT. R.S.O. 1927, c. 92; 1933, c. 59, s. 8 am.
- GINSENG ACT. R.S.O. 1927, c. 313.
- GOVERNMENT STOCK. *See* Provincial Loans Act.
- GRAND RIVER CONSERVATION COMMISSION ACT. 1932, c. 55.

GUARANTEE COMPANIES SECURITIES ACT. R.S.O. 1927, c. 230.

GUARDIANSHIP. *See* Infants Act.

GUELPH RAILWAY ACT. 1921, c. 22; 1923, c. 40 am.; 1931, c. 14 am.

## H

HABEAS CORPUS ACT. R.S.O. 1927, c. 116.

HALIBURTON ACT. R.S.O. 1927, c. 4; 1931, c. 4, s. 4 aff.; 1931, c. 71, s. 16 am.

HAMILTON STREET RAILWAY COMPANY ACT. 1932, c. 57.

HEALTH. *See* One Day's Rest in Seven Act; Public Health Act; Silicosis Act; Vaccination Act; Venereal Diseases Prevention Act.

HIGH SCHOOLS ACT. R.S.O. 1927, c. 326; 1928, c. 53, ss. 4-6 am.; 1929, c. 84, ss. 7-11 am.; 1930, c. 63, ss. 14-17 am.; 1931, c. 71, ss. 9-13 am.; 1932, c. 42, ss. 17, 18 am.; 1933, c. 58, ss. 23-29 am.; 1934, c. 52, ss. 10-13 am.

HIGHWAY. *See* Colonization Roads Act; Highway Improvement Act; Highway Improvement Fund Act; Highway Traffic Act; Public Service Works on Highways Act; Public Commercial Vehicle Act; Public Vehicle Act; Snow Roads and Fences Act; Statute Labour Act; Tree Planting Act.

HIGHWAY IMPROVEMENT ACT. R.S.O. 1927, c. 54; 1928, c. 18 am.; 1929, c. 17 am.; 1930, c. 10 am.; 1931, c. 11, ss. 1-12 am., s. 13 rep.; 1932, c. 53, s. 5 am.

HIGHWAY IMPROVEMENT FUND ACT. 1930, c. 11.

HIGHWAY TRAFFIC ACT. R.S.O. 1927, c. 251; 1928, c. 42 am.; 1929, c. 68 am.; 1930, cc. 47, 48 am.; 1931, c. 54 am.; 1932, c. 32 am.; 1933, c. 20 am.; 1934, c. 21 am.

HORSES. *See* Entry of Horses at Exhibitions Act; Stallion Act.

HORTICULTURAL SOCIETIES ACT. R.S.O. 1927, c. 72.

HOSPITALS. *See* Charitable Institutions Act; Hospitals and Charitable Institutions Act; Hospitals for the Insane Act; Ontario Hospital, Woodstock, Act; Private Hospitals Act; Private Sanitarium Act; Psychiatric Hospitals Act; Public Hospitals Act; Sanatoria for Consumptives Act; Toronto General Hospital Act.

HOSPITALS AND CHARITABLE INSTITUTIONS ACT. R.S.O. 1927, c. 359; 1928, c. 59 am.; 1930, c. 21, s. 18 am.; 1931, c. 78 rep. and sup.

HOSPITALS FOR THE INSANE ACT. R.S.O. 1927, c. 353; 1930, c. 66 am.; 1931, c. 23, s. 26 am.

HOTELS ACT. 1929, c. 75.

HOURS OF LABOUR. *See* Factory, Shop and Office Building Act; Fire Departments Act; Mining Act; Municipal Act; One Day's Rest in Seven Act; Railway Act.

HOUSES OF REFUGE ACT. R.S.O. 1927, c. 348; 1931, c. 74 am.; 1934, c. 54, s. 12 am.

HYDRO-ELECTRIC. *See* Abitibi Canyon Power Development Act; Hydro-Electric Negligence Act; Hydro-Electric Railway Act; Manitoulin Rural Power District Act; Municipal Electric Railway Act; Power Commission Act; Power Commission Insurance Act; Rural Hydro-Electric Distribution Act; Water Powers' Regulation Act.

HYDRO-ELECTRIC NEGLIGENCE ACT. R.S.O. 1927, c. 61.

HYDRO-ELECTRIC RAILWAY ACT. 1929, c. 55.

## I

INDIAN LANDS ACT. 1924, c. 15.

INDUSTRIAL EDUCATION. *See* Vocational Education Act.

INDUSTRIAL FARMS ACT. R.S.O. 1927, c. 350; 1931, c. 23, s. 24 am.; 1932, c. 43, rep. and sup.

INDUSTRIAL AND MINING LANDS COMPENSATION ACT. R.S.O. 1927, c. 147.

INDUSTRIAL DISPUTES INVESTIGATION ACT. 1932, c. 20.

INDUSTRIAL SCHOOLS ACT. R.S.O. 1927, c. 329; 1931, c. 73 am.; 1933, c. 59, s. 27 am.

INDUSTRIAL SITES ACT. 1929, c. 59.

INFANTS. *See* Children.

INFANTS ACT. R.S.O. 1927, c. 186; 1929, c. 48 am.

INJURED ANIMALS ACT. R.S.O. 1927, c. 302.

INNKEEPERS' ACT. R.S.O. 1927, c. 210; 1929, c. 75, s. 3 rep.; 1933, c. 21 am.

INSANE. *See* Hospitals for the Insane Act; Psychiatric Hospitals Act.

INSOLVENCY. *See* Assignment and Preferences Act.

- INSURANCE. *See* (Automobile) Insurance Act; An Act respecting Dominion Agricultural Credit Company, Limited; Highway Traffic Act; Insurance Act; Insurance (Temporary Provisions) Act; Workmen's Compensation Insurance Act; Power Commission Insurance Act.
- INSURANCE ACT. R.S.O. 1927, c. 222; 1928, c. 35 am.; 1929, c. 53 am.; 1930, c. 41 am.; 1931, c. 18 aff.; c. 23, s. 17 aff.; c. 49 am.; 1932, c. 24, ss. 2-10 am., s. 11 aff.; 1932, c. 25 am.; 1932, c. 26 aff.; 1933, c. 22 am.; 1934, c. 22 am.
- INSURANCE (TEMPORARY PROVISIONS) ACT. 1932, c. 26; 1933, c. 23 aff.; 1934, c. 23 aff.
- INTERPRETATION ACT. R.S.O. 1927, c. 1; 1934, c. 24 am.
- INTERPROVINCIAL DRAINAGE ACT. 1932, c. 52.
- INTESTATE SUCCESSION. *See* Devolution of Estates Act.
- INVESTIGATION OF TITLES ACT. 1929, c. 41; 1930, c. 30 am.
- IRON ORE BOUNTY ACT. 1924, c. 19; 1930, c. 9 rep. and sup.

## J

- JUDGES' ORDERS ENFORCEMENT ACT. R.S.O. 1927, c. 111.
- JUDICATURE ACT. R.S.O. 1927, c. 88; 1928, c. 21, s. 4 am.; 1930, c. 21, s. 6 aff., s. 7 rep.; c. 22 am.; c. 23 am.; 1931, c. 24 am.; 1932, c. 53, s. 10 am.; 1933, c. 59, s. 6 am.; 1934, c. 54, s. 13 am.
- JURORS' ACT. R.S.O. 1927, c. 96; 1929, c. 31 am.; 1933, c. 59, s. 11 am.
- JUSTICES OF THE PEACE ACT. R.S.O. 1927, c. 118; 1931, c. 29 am.
- JUVENILE COURTS ACT. R.S.O. 1927, c. 281; 1928, c. 48 am.; 1929, c. 74 am.; 1930, c. 57 am.; 1931, c. 23, s. 21 am.; 1934, c. 25 am.
- JUVENILE AND FAMILY COURTS ACT, 1934, c. 25.

## K

- KAPUSKASING, TOWN OF. 1921, c. 36; 1930, c. 21, s. 19 am.; 1932, c. 53, s. 34 aff.; 1933, c. 24 am.
- KING'S PRINTER ACT. R.S.O. 1927, c. 79.

## L

- LABOUR. *See* Blind Workmen's Compensation Act; Department of Labour Act; Employment Agencies Act; Minimum Wage Act; One Day's Rest in Seven Act; Unemployment Relief Act; Workmen's Compensation Act; Woodmen's Employment Act.
- LAC SEUL CONSERVATION ACT. 1928, c. 12.
- LAKES AND RIVERS IMPROVEMENT ACT. R.S.O. 1927, c. 43; 1928, c. 11 am.
- LAND. *See* Indian Lands Act; Industrial Sites Act; Investigation of Titles Act; Land Titles Act; Land Transfer Tax Act; Northern Development Act; Provincial Land Tax Act; Public Lands Act; Registry Act; Relief Land Settlement Act; Returned Soldiers' and Sailors' Land Settlement Act; Tax Sales Confirmation Act; Veterans' Land Grant Act.
- LAND SURVEYORS ACT. R.S.O. 1927, c. 201; 1928, c. 21, s. 9 am.; 1931, c. 41 rep. and sup.
- LAND TITLES ACT. R.S.O. 1927, c. 158; 1929, c. 45 am.; 1931, c. 23, s. 11 am.; 1932, c. 53, s. 14 am.
- LAND TRANSFER TAX ACT. R.S.O. 1927, c. 31.
- LANDLORD AND TENANT ACT. R.S.O. 1927, c. 190; 1928, c. 30 am.
- LAW SOCIETY ACT. R.S.O. 1927, c. 192; 1928, c. 21, s. 8 am.; 1930, c. 21, s. 13 am.; 1932, c. 53, s. 19 am.; 1934, c. 54, s. 14 am.
- LAW STAMPS ACT. R.S.O. 1927, c. 27; 1932, c. 53, s. 3 am.
- LEASES. *See* Short Forms of Leases Act.
- LEGISLATIVE ASSEMBLY ACT. R.S.O. 1927, c. 12; 1930, c. 4 am.
- LEGISLATIVE SECRETARY FOR NORTHERN ONTARIO ACT. R.S.O. 1927, c. 15.
- LEGITIMATION ACT. R.S.O. 1927, c. 187.
- LIBEL AND SLANDER ACT. R.S.O. 1927, c. 101.
- LIBRARIES. *See* Public Libraries Act.
- LIEUTENANT-GOVERNOR'S ACT. R.S.O. 1927, c. 13.
- LIGHTNING ROD ACT. R.S.O. 1927, c. 297; 1931, c. 63 am.
- LIMITATIONS ACT. R.S.O. 1927, c. 106.
- LIMITED PARTNERSHIP ACT. R.S.O. 1927, c. 171; 1930, c. 21, s. 12 am.; 1931, c. 23, s. 13 am.

- LINE FENCES ACT. R.S.O. 1927, c. 315; 1931, c. 66 am.
- LIQUOR CONTROL ACT. R.S.O. 1927, c. 257; 1928, c. 44 am.; 1929, c. 69 am., c. 75; s. 3 am.; 1930, c. 51 am.; 1932, c. 33 am.; 1933, c. 25 am.; c. 59, s. 24 aff.; 1934, c. 26 am.
- LIVE STOCK AND PRODUCTS ACT. R.S.O. 1927, c. 306; 1932, c. 38 rep. and sup.
- LOAD OF VEHICLES. *See* Highway Traffic Act.
- LOAN AND TRUST CORPORATIONS ACT. R.S.O. 1927, c. 223; 1928, c. 21, s. 10 am., c. 36 am.; 1929, c. 54 am.; 1930, c. 42 am.; 1931, c. 18 aff.; c. 23, s. 18 am.; 1934, c. 27, s. 2 am.; s. 3 aff.
- LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Co-operative Marketing Loan Act; Farm Loans Act; Loan and Trust Corporations Act; Money Lenders Act; Ontario Loan Act; Provincial Loans Act; Rural Power District Loans Act.
- LOCAL IMPROVEMENT ACT. R.S.O. 1927, c. 235; 1928, c. 38 am.; 1929, c. 60 am.; 1930, c. 45 am.; 1931, c. 55 am.; 1932, c. 30 am.; 1933, c. 26 am.
- LONG POINT PARK ACT. R.S.O. 1927, c. 84; 1933, c. 27 am.
- LUNACY ACT. R.S.O. 1927, c. 98; 1929, c. 32 am.; 1930, c. 26 am.
- LUXURY TAX ACT. R.S.O. 1927, c. 33; 1932, c. 10, s. 7 rep.

## M

- MAGISTRATES ACT. R.S.O. 1927, c. 119; 1929, c. 23, s. 5 am.; 1930, c. 21, s. 9 am.; 1933, c. 59, s. 14 am.; 1934, c. 28 aff.
- MAGISTRATES' JURISDICTION ACT. 1929, c. 36.
- MANITOBA. *See* Ontario and Manitoba Boundary Line Act.
- MANITOULIN RURAL POWER DISTRICT ACT. 1933, c. 28.
- MARKETING. *See* An Act respecting Dominion Agricultural Credit Company, Limited; Co-operative Marketing Loan Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Ontario Marketing Act.
- MARRIAGES. *See* Marriage Act; Vital Statistics Act.
- MARRIAGE ACT. R.S.O. 1927, c. 181; 1928, c. 27 am.; 1931, c. 23, s. 14 am.; 1932 c. 53, s. 17 am.; 1933, c. 28 am.
- MARRIED WOMEN'S PROPERTY ACT. R.S.O. 1927, c. 182; 1931, c. 33 am.
- MASTER AND SERVANT ACT. R.S.O. 1927, c. 177; 1929, c. 23, s. 9 am.; 1933, c. 59, s. 20 am.
- MATERNITY BOARDING HOUSE ACT. R.S.O. 1927, c. 278.
- MATRIMONIAL CAUSES ACT. 1931, c. 25.
- MCMASTER UNIVERSITY LANDS ACT. 1931, c. 72.
- MECHANICS' LIEN ACT. R.S.O. 1927, c. 173; 1932, c. 19 am.; 1933, c. 30 am.
- MEDICAL ACT. R.S.O. 1927, c. 196; 1932, c. 22 am.; 1933, c. 31 am.; 1934, c. 29 am.
- MERCANTILE LAW AMENDMENT ACT. R.S.O. 1927, c. 161; 1933, c. 32 am.
- MILK. *See* Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act; Milk Control Act.
- MILK, CHEESE AND BUTTER ACT. R.S.O. 1927, c. 266.
- MILK AND CREAM ACT. R.S.O. 1927, c. 265.
- MILK CONTROL ACT. 1934, c. 30.
- MILLS LICENSING ACT. R.S.O. 1927, c. 39.
- MINIMUM WAGE ACT. R.S.O. 1927, c. 277; 1929, c. 23, s. 14 am.; 1932, c. 36 am.; 1933, c. 59, s. 25 am.; 1934, c. 31 am.
- MINING. *See* Damage by Fumes Arbitration Act; Industrial and Mining Lands Compensation Act; Iron Ore Bounty Act; Mining Act; Mining Schools Act; Mining Tax Act; Radium Act; Unwrought Metal Sales Act.
- MINING ACT. R.S.O. 1927, c. 45; 1928, c. 16 am.; 1929, c. 15 am.; 1930, c. 8 am.; 1931, c. 10 am.; 1932, c. 13 am.; 1933, c. 33 am.; 1934, c. 32 am.
- MINING SCHOOLS ACT. R.S.O. 1927, c. 341.
- MINING TAX ACT. R.S.O. 1927, c. 28; 1930, c. 21, s. 3 am.; 1931, c. 8 am.; 1932, c. 7 am.; 1933, c. 34 am.
- MINORITY SHAREHOLDERS RIGHTS ACT. R.S.O. 1927, c. 229.
- MINORS' PROTECTION ACT. R.S.O. 1927, c. 259.
- MONEY-LENDERS ACT. R.S.O. 1927, c. 212.
- MORTGAGE TAX ACT. R.S.O. 1927, c. 156; 1929, c. 44 am.
- MORTGAGES. *See* Bills of Sale and Chattel Mortgages Act; Mortgages Act; Mortgagors' and Purchasers' Relief Act; Short Forms of Mortgages Act.

MORTGAGES ACT. R.S.O. 1927, c. 140.

MORTGAGORS' AND PURCHASERS' RELIEF ACT. 1932, c. 49; 1933, c. 35 rep. and sub; 1934, c. 33 aff.

MORTMAIN AND CHARITABLE USES ACT. R.S.O. 1927, c. 132.

MOTOR VEHICLES. *See* Highway Traffic Act.

MOTHERS' ALLOWANCES ACT. R.S.O. 1927, c. 280; 1928, c. 47 am.; 1929, c. 23, s. 16 am.; 1930, c. 55 am.; 1931, c. 23, s. 20 am.; 1932, c. 53, ss. 29, 30 am.; 1933, c. 36 am.; 1934, c. 54, s. 15 am.

MOVING PICTURES. *See* Theatres and Cinematographs Act.

MUNICIPAL AFFAIRS. *See* Assessment Act; Bonus Limitation Act; Industrial Sites Act; Local Improvement Act; Municipal Act; Ontario Municipal Board Act; Planning and Development Act; Statute Labour Act; Suburban Area Development Act.

MUNICIPAL ACT. R.S.O. 1927, c. 233; 1928, c. 37 am.; 1929, c. 57 am., c. 58 am., c. 79, s. 13 am.; 1930, c. 44 am.; 1931, c. 50 am.; 1932, c. 27, s. 165 am.; 1932, c. 29 am., c. 42, s. 7 (2) am.; 1933, c. 37 am.; 1934, c. 34 am.

MUNICIPAL ARBITRATIONS ACT. R.S.O. 1927, c. 242; 1928, c. 40 am.

MUNICIPAL BOARD. *See* Ontario Municipal Board Act.

MUNICIPAL DRAINAGE ACT. R.S.O. 1927, c. 241; 1931, c. 56 am.; 1933, c. 38 am.

MUNICIPAL DRAINAGE AID ACT. R.S.O. 1927, c. 64.

MUNICIPAL ELECTIONS. *See* Municipal Act; Voters' Lists Act.

MUNICIPAL ELECTRIC RAILWAY ACT. R.S.O. 1927, c. 226.

MUNICIPAL FRANCHISES ACT. R.S.O. 1927, c. 240; 1929, c. 65 am.; 1933, c. 39 am.

MUNICIPAL AND SCHOOL ACCOUNTS AUDIT ACT. R.S.O. 1927, c. 243; 1931, c. 53 am.; 1932, c. 27, s. 165 rep.

MUSEUM. *See* Royal Ontario Museum.

## N

NATURAL GAS. *See* Natural Gas Conservation Act; Mining Tax Act, Part II; Well Drillers Act.

NATURAL GAS CONSERVATION ACT. R.S.O. 1927, c. 47; 1929, c. 16 am.; 1931, c. 23, ss. 2-5 am.; 1933, c. 59, s. 3 am.

NEGLIGENCE ACT. 1930, c. 27; 1931, c. 26 am.

NIAGARA PARKS ACT. R.S.O. 1927, c. 81; 1929, c. 27 am.; 1931, c. 22 am.; 1933, c. 59, s. 5 am.

NORTHERN DEVELOPMENT ACT. R.S.O. 1927, c. 36; 1929, c. 12 am.; 1933, c. 40 am.; 1934, c. 35 am.

NORTHERN ONTARIO. *See* Legislative Secretary for Northern Ontario Act; Northern Development Act; Northern Ontario Appropriation Act; Northern Ontario Relief Act.

NORTHERN ONTARIO APPROPRIATION ACT. 1929, c. 11; 1930, c. 7; 1931, c. 3; 1932, c. 3; 1933, c. 41; 1934, c. 36.

NORTHERN ONTARIO RELIEF ACT. 1928, c. 10.

NOTARIES ACT. R.S.O. 1927, c. 195.

NURSERY STOCK ACT. 1933, c. 42.

NURSES. *See* Registration of Nurses Act.

## O

OFFENSIVE WEAPONS ACT. R.S.O. 1927, c. 288.

OFFICIAL NOTICES PUBLICATION ACT. R.S.O. 1927, c. 21.

OIL WELLS. *See* Well Drillers Act.

OLD AGE PENSIONS ACT. 1929, c. 73; 1930, c. 56 am.; 1932, c. 46 am.; 1933, c. 43 am.

ONE DAY'S REST IN SEVEN ACT. R.S.O. 1927, c. 276.

ONTARIO AND MANITOBA BOUNDARY LINE ACT. 1929, c. 3.

ONTARIO HOSPITAL, WOODSTOCK, ACT. R.S.O. 1927, c. 356; 1931, c. 23, s. 29 am.

ONTARIO INSTITUTE OF RADIO-THERAPY ACT. 1933, c. 44; 1934, c. 37.

ONTARIO LOAN ACT. 1928, c. 6; 1929, c. 2; 1930, c. 2; 1931, c. 2; 1932, c. 2; 1933, c. 45; 1934, c. 5.

ONTARIO MARKETING ACT. 1931, c. 17; 1934, c. 38 am.

ONTARIO MUNICIPAL BOARD ACT. 1932, c. 27; 1933, c. 59, s. 37 am.; 1934, c. 39 am.

ONTARIO TRAINING SCHOOLS ACT. 1931, c. 60; 1932, c. 53, s. 37 am.; 1933, c. 59, s. 35 am.

OPERATING ENGINEERS' ACT. 1932, c. 23.

OPTOMETRY ACT. R.S.O. 1927, c. 215; 1931, c. 45 am.

## P

PAPER MILLS. *See* Mills Licensing Act.

PARENTS' MAINTENANCE ACT. R.S.O. 1927, c. 185; 1929, c. 46 am.

PARKS. *See* Battle of Ridgeway Memorial Park Act; Burlington Beach Act; Long Point Park Act; Niagara Parks Act; Presqu'ile Park Act; Provincial Parks Act; Public Parks Act.

PAROLE ACT. R.S.O. 1927, c. 362; 1929, c. 23, s. 18 am.; 1933, c. 59, s. 30 am.

PARTITION ACT. R.S.O. 1927, c. 142.

PARTNERSHIP. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.

PARTNERSHIP ACT. R.S.O. 1927, c. 170.

PARTNERSHIP REGISTRATION ACT. R.S.O. 1927, c. 172; 1934, c. 40 am.

PATRICIA ACT. R.S.O. 1927, c. 5.

PAWNBROKERS' ACT. R.S.O. 1927, c. 213; 1934, c. 41 am.

PERSONATION ACT. R.S.O. 1927, c. 9.

PETTY TRESPASS ACT. R.S.O. 1927, c. 139.

PHARMACY ACT. R.S.O. 1927, c. 199.

PLANNING AND DEVELOPMENT ACT. R.S.O. 1927, c. 236; 1929, c. 61 am.; 1930, c. 21, s. 14 am.; 1933, c. 46 am.

POLICE. *See* Constables Act; Dominion Commissioners of Police Act.

POLICE MAGISTRATES. *See* Magistrates Act.

POLITICAL CONTRIBUTIONS ACT. R.S.O. 1927, c. 10; 1929, c. 6 rep. and sup.

POOL ROOMS. *See* Minors Protection Act.

POUNDS ACT. R.S.O. 1927, c. 301.

POWER. *See* Abitibi Canyon Power Development Act; Central Ontario Power Act; Lac Seul Conservation Act; Manitoulin Rural Power District Act; Power Commission Act; Power Commission and Companies Transfer Act; Power Commission Insurance Act; Rural Power District Loans Act; Rural Power District Service Charge Act; Water Powers Regulation Act.

POWER COMMISSION ACT. R.S.O. 1927, c. 57; 1928, c. 19, ss. 2-5 am., s. 6 aff.; 1929, c. 20 am., c. 21 aff., c. 23, s. 20 aff.; 1930, c. 12, ss. 2-11 am., s. 12 aff.; 1931, c. 13, ss. 2-9 am., ss. 10-14 aff.; 1932, c. 14 aff.; 1933, c. 47, s. 2 am., ss. 3, 4 aff.; 1934, c. 42 am.

POWER COMMISSION AND COMPANIES' TRANSFER ACT. 1929, c. 22; 1930, c. 16.

POWER COMMISSION INSURANCE ACT. R.S.O. 1927, c. 60.

POWERS OF ATTORNEY ACT. R.S.O. 1927, c. 135.

PRESQU'ILE PARK ACT. R.S.O. 1927, c. 85; 1929, c. 28 am.

PREVENTION OF ACCIDENTS BY FIRE IN HOTELS ACT. R.S.O. 1927, c. 286; 1929, c. 75, s. 3 rep.

PRISONS AND PUBLIC CHARITIES INSPECTION ACT. R.S.O. 1927, c. 361; 1931, c. 80 rep. and sup.

PRIVATE DETECTIVES ACT. R.S.O. 1927, c. 214; 1930, c. 36 am.

PRIVATE FOREST RESERVES ACT. R.S.O. 1927, c. 290.

PRIVATE HOSPITALS ACT. 1931, c. 77.

PRIVATE SANITARIUM ACT. R.S.O. 1927, c. 355; 1931, c. 23, s. 28 am.

PRIVY COUNCIL APPEALS ACT. R.S.O. 1927, c. 86.

PROBATION ACT. R.S.O. 1927, c. 364; 1929, c. 88 am.

PROFESSIONAL ENGINEERS ACT. R.S.O. 1927, c. 206.

PROPERTY AND CIVIL RIGHTS ACT. R.S.O. 1927, c. 130.

PROTECTION OF BIRDS ACT. R.S.O. 1927, c. 319.

PROTECTION OF CATTLE ACT. R.S.O. 1927, c. 304; 1928, c. 50 am.

PROVINCIAL AID TO DRAINAGE ACT. R.S.O. 1927, c. 63; 1929, c. 24 am.; 1933, c. 48 am.

PROVINCIAL AUCTIONEERS' LICENSE ACT. R.S.O. 1927, c. 217.

PROVINCIAL FORESTS ACT. 1929, c. 14, rep. and sub.; 1931, c. 23, s. 30 am.

PROVINCIAL HIGHWAYS. *See* Highway Improvement Act.

- PROVINCIAL LAND TAX ACT. R.S.O. 1927, c. 30; 1928, c. 8 am.; 1930, c. 21, s. 4 am.
- PROVINCIAL LOANS. *See* Loans.
- PROVINCIAL LOANS ACT. R.S.O. 1927, c. 23; 1933, c. 59, s. 2 am.; 1934, c. 43 am.
- PROVINCIAL PARKS ACT. R.S.O. 1927, c. 82; 1934, c. 44 am.
- PSYCHIATRIC HOSPITALS ACT. R.S.O. 1927, c. 354; 1931, c. 23, s. 27 am.
- PUBLIC AUTHORITIES PROTECTION ACT. R.S.O. 1927, c. 120; 1934, c. 45 am.
- PUBLIC BUILDINGS. *See* Egress from Public Buildings.
- PUBLIC COMMERCIAL VEHICLE ACT. R.S.O. 1927, c. 253; 1930, c. 49 am.; 1932, c. 53, s. 28 (1, 2) am.; 1933, c. 49 am.; 1934, c. 46 rep. and sub.
- PUBLIC HEALTH ACT. R.S.O. 1927, c. 262; 1928, c. 45 am.; 1930, c. 52 am.; 1931, c. 58 am.; 1932, c. 34 am.; 1933, c. 50 am.; 1934, c. 47 am.
- PUBLIC HOSPITALS ACT. 1931, c. 78; 1932, c. 53, s. 39 am.; 1933, c. 51 am.; 1934, c. 54, s. 16 am.
- PUBLIC INQUIRIES ACT. R.S.O. 1927, c. 20.
- PUBLIC INSTITUTIONS INSPECTION ACT. 1931, c. 80.
- PUBLIC LANDS ACT. R.S.O. 1927, c. 35; 1928, c. 9 am.
- PUBLIC LIBRARIES ACT. R.S.O. 1927, c. 246; 1929, c. 66 am.; 1931, c. 71, s. 17 am.
- PUBLIC OFFICERS ACT. R.S.O. 1927, c. 17.
- PUBLIC OFFICERS FEES ACT. R.S.O. 1927, c. 19; 1929, c. 9 am.; 1931, c. 23, s. 1 am.; 1933, c. 59, s. 1 am.
- PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1927, c. 175.
- PUBLIC PARKS ACT. R.S.O. 1927, c. 248; 1934, c. 48 am.
- PUBLIC REVENUE ACT. R.S.O. 1927, c. 24.
- PUBLIC SCHOOLS ACT. R.S.O. 1927, c. 323; 1928, c. 53, ss. 1, 2 am.; 1929, c. 84, ss. 2, 3, 4 am.; 1930, c. 63, ss. 3-11 am.; 1931, c. 71, ss. 2-7 am.; 1932, c. 42, ss. 2-7 (1) am., 8-14 am.; 1933, c. 58, ss. 5-18 am.; 1934, c. 52, ss. 3, 4 am., s. 5 aff. ss. 6-9 am., s. 16 aff.
- PUBLIC SERVICE. *See* An Act for granting to His Majesty certain sums of Money for the Public Service; General Purchasing Agent's Act; Public Officers Fees Act; Public Service Act.
- PUBLIC SERVICE ACT. R.S.O. 1927, c. 16; 1928, c. 5 am.; 1929, c. 7 am.; 1931, c. 6 am.; 1932, c. 5 am.; 1933, c. 52, ss. 2-8 am., s. 9 aff.
- PUBLIC SERVICE WORKS ON HIGHWAYS ACT. R.S.O. 1927, c. 56; 1929, c. 19 am.
- PUBLIC TRUSTEE ACT. R.S.O. 1927, c. 151; 1930, c. 32 am.; 1931, c. 23, s. 8 am.
- PUBLIC UTILITIES ACT. R.S.O. 1927, c. 249; 1928, c. 41 am.; 1929, c. 67 am.; 1930, c. 21, s. 15 am.; 1931, c. 57 am.; 1934, c. 54, s. 17 am.
- PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1927, c. 228.
- PUBLIC WELFARE. *See* Department of Public Welfare Act.
- PUBLIC WORKS ACT. R.S.O. 1927, c. 52; 1932, c. 53, s. 4 am.
- PUBLIC VEHICLE ACT. R.S.O. 1927, c. 252; 1928, c. 43 am.; 1933, c. 53 am.; 1934, c. 49 am.
- PULP AND PULPWOOD. *See* Crown Timber Act; Mills Licensing Act; Pulpwood Conservation Act.
- PULPWOOD CONSERVATION ACT. 1929, c. 13.

## Q

- QUIETING TITLES ACT. R.S.O. 1927, c. 154; 1931, c. 23, s. 9 am.

## R

- RACE TRACKS. *See* Corporations Tax Act.
- RADIO-THERAPY. *See* Ontario Institute of Radio-Therapy Act.
- RADIUM ACT. R.S.O. 1927, c. 46.
- RAILWAY ACT. R.S.O. 1927, c. 224; 1930, c. 43 am.; 1932, c. 53, s. 25 am.
- RAILWAY FIRE CHARGE ACT. R.S.O. 1927, c. 292.
- RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1927, c. 225; 1928, c. 21, s. 11 am.; 1929, c. 23, s. 12 am.; 1932, c. 27, s. 165 rep.
- RAILWAYS. *See* Guelph Railway Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Ontario Municipal Board Act; Railway Act; Railway Fire Charge Act; Sandwich, Windsor and Amherstburg Railway Act; Windsor, Essex and Lake Shore Rapid Railway Act.

- REAL ESTATE BROKERS ACT. 1930, c. 40; 1933, c. 59, s. 34 am.
- RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29.
- REFORESTATION. *See* Forestry Act.
- REFORMATORY ACT. R.S.O. 1927, c. 345; 1931, c. 23, s. 22 am.
- REGISTRATION. *See* Land Titles Act; Partnership Registration Act; Registration of Nurses Act; Registry Act; Vital Statistics Act.
- REGISTRATION OF NURSES ACT. R.S.O. 1927, c. 360; 1929, c. 87 am.; 1933, c. 54 am.
- REGISTRY ACT. R.S.O. 1927, c. 155; 1929, c. 43 am.; 1930, c. 34<sup>7</sup>am.; 1931, c. 23, s. 10 am.; 1932, c. 17 am.; 1933, c. 59, s. 18 am.; 1934, c. 50 am.
- RELIEF LAND SETTLEMENT ACT. 1933, c. 55.
- RELIGIOUS INSTITUTIONS ACT. R.S.O. 1927, c. 344.
- REPLEVIN ACT. R.S.O. 1927, c. 99.
- REPRESENTATION ACT. R.S.O. 1927, c. 6; 1933, c. 56 rep. and sub.; 1934, c. 51 am.
- RESEARCH FOUNDATION ACT. 1928, c. 57; 1929, c. 86 am.
- RETURNED SOLDIERS' AND SAILORS' LAND SETTLEMENT ACT. 1917, c. 13; 1918, c. 8, s. 2 aff.; 1919, c. 15 aff.; 1920, c. 16 am.; 1921, c. 18 aff.; 1926, c. 9, s. 2 aff.; c. 10, ss. 3, 6, 11 aff.; 1927, c. 13 aff.
- REVENUE. *See* An Act for granting to His Majesty certain sums of money for the Public Service; An Act for Raising Money on the Credit of the Consolidated Revenue Fund; Consolidated Revenue Fund Act; Public Revenue Act; Supplementary Revenue Act.
- REVISED STATUTES ACT. 1928, c. 2.
- RIVERS. *See* Beach Protection Act; Beaches and River Beds Act; Bed of Navigable Waters Act; Lakes and Rivers Improvement Act.
- ROADS. *See* Highway.
- ROYAL ONTARIO MUSEUM ACT. R.S.O. 1927, c. 343; 1928, c. 21, s. 23 aff.
- RURAL HYDRO-ELECTRIC DISTRIBUTION ACT. R.S.O. 1927, c. 59.
- RURAL POWER DISTRICT LOANS ACT. 1930, c. 14.
- RURAL POWER DISTRICT SERVICE CHARGE ACT. 1930, c. 15.

## S

- SALE OF GOODS ACT. R.S.O. 1927, c. 163.
- SALES. *See* Alberta Coal Sales Act; Bread Sales Act; Bulk Sales Act; Conditional Sales Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Milk and Cream Act; Milk, Cheese and Butter Act; Sale of Goods Act; Tax Sales Confirmation Act.
- SANATORIA FOR CONSUMPTIVES ACT. R.S.O. 1927, c. 357; 1931, c. 76 rep. and sup.; 1932, c. 53, s. 38 am.; 1933, c. 57 am.; 1934, c. 54, s. 18 am.
- SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY ACT. 1930, c. 17; 1932, c. 53, s. 44 aff., c. 56 am.; 1933, c. 59, s. 32 am.
- SAWLOGS. *See* Cullers' Act; Lakes and Rivers Improvement Act, Part VI.
- SAW MILLS. *See* Mills Licensing Act.
- SCHOOL ATTENDANCE ACT. R.S.O. 1927, c. 332; 1930, c. 63, ss. 23-28 am.; 1932, c. 42, ss. 20-23 am.
- SCHOOL LAW AMENDMENT ACT. 1928, c. 53; 1929, c. 84; 1930, c. 63; 1931, c. 71; 1932, c. 42; 1933, c. 58; 1934, c. 52.
- SCHOOL SITES ACT. R.S.O. 1927, c. 335; 1928, c. 54 rep. and sup.; 1930, c. 63, s. 31 am.
- SCHOOL TRUST CONVEYANCES ACT. R.S.O. 1927, c. 336.
- SCHOOLS. *See* Education; Ontario Training Schools Act; School Sites Act; School Trust Conveyances Act.
- SCHOOLS FOR THE DEAF AND BLIND ACT. R.S.O. 1927, c. 330.
- SECURITIES ACT. 1930, c. 39; 1931, c. 48 am.; 1932, c. 53, s. 36 am.; 1933, c. 59, s. 33 am.
- SECURITY FRAUDS PREVENTION ACT. 1928, c. 34; 1929, c. 51 am.; 1930, c. 39 rep. and sup.; 1931, c. 48 am.; 1932, c. 53, s. 36 am. *See* Securities Act.
- SEDUCTION ACT. R.S.O. 1927, c. 102.
- SEED GRAIN SUBSIDY ACT. 1934, c. 53.
- SEPARATE SCHOOLS ACT. R.S.O. 1927, c. 328; 1928, c. 53, s. 8 am.; 1930, c. 63, s. 20 am.; 1933, c. 58, ss. 31, 32 am.; 1934, c. 52, s. 15 am.
- SETTLED ESTATES ACT. R.S.O. 1927, c. 105.

- SHEEP. *See* Dog Tax and Sheep Protection Act.
- SHERIFF'S ACT. R.S.O. 1927, c. 18; 1929, c. 8 am.; 1930, c. 21, s. 1 am.
- SHORT FORMS OF CONVEYANCES ACT. R.S.O. 1927, c. 143.
- SHORT FORMS OF LEASES ACT. R.S.O. 1927, c. 144; 1929, c. 23, s. 7 am.
- SHORT FORMS OF MORTGAGES ACT. R.S.O. 1927, c. 145.
- SHOWS. *See* Theatres and Cinematographs Act; Travelling Shows Act.
- SILICOSIS ACT. 1929, c. 71; 1930, c. 59 am.
- SNOW ROADS AND FENCES ACT. R.S.O. 1927, c. 254.
- SOLDIERS. *See* Returned Soldiers' and Sailors' Land Settlement Act; Soldiers' Aid Commission Act.
- SOLDIERS' AID COMMISSION ACT. 1929, c. 4 rep. and sup.
- SOLICITORS ACT. R.S.O. 1927, c. 194, 1934, c. 54, s. 19 am.
- STALLION ACT. R.S.O. 1927, c. 303.
- STANDARD HOTEL REGISTRATION OF GUESTS' ACT. R.S.O. 1927, c. 258; 1929, c. 75, s. 3 rep.
- STATIONARY AND HOISTING ENGINEERS' ACT. R.S.O. 1927, c. 207; 1932, c. 23, s. 18 rep.
- STATUTE OF FRAUDS. R.S.O. 1927, c. 131; 1929, c. 23, s. 6 am.
- STATUTE LABOUR ACT. R.S.O. 1927, c. 239; 1933, c. 59, s. 23 am.
- STATUTE LAW AMENDMENT ACT. 1928, c. 21; 1929, c. 23; 1930, c. 21; 1931, c. 23; 1932, c. 53; 1933, c. 59; 1934, c. 54.
- STATUTES ACT. R.S.O. 1927, c. 2.
- STEAM BOILER ACT. R.S.O. 1927, c. 308; 1929, c. 80 am.; 1932, c. 39 am.
- STEAM THRESHING ENGINES ACT. R.S.O. 1927, c. 307.
- STENOGRAPHIC REPORTERS ACT. R.S.O. 1927, c. 204; 1933, c. 60 am. *See* Chartered Shorthand Reporters Act.
- SUBURBAN AREA DEVELOPMENT ACT. R.S.O. 1927, c. 237; 1929, c. 62 am.
- SUBURBAN AREAS. *See* Planning and Development Act; Suburban Area Development Act.
- SUCCESSION DUTY ACT. R.S.O. 1927, c. 26; 1928, c. 7 am.; 1929, c. 19 am.; 1931, c. 7 am.; 1932, c. 6 am.; 1933, c. 61 am.; 1934, c. 55, rep. and sup.
- SULPHUR FUMES. *See* Damage by Fumes Arbitration Act.
- SUMMARY CONVICTIONS ACT. R.S.O. 1927, c. 121; 1929, c. 37 am.; 1930, c. 21, s. 10 am.; 1931, c. 30 am.; 1934, c. 54, s. 9 aff., c. 56, am.
- SUPERANNUATION. *See* Public Service Act, Part III; Teachers' and Inspectors' Superannuation Act.
- SUPPLEMENTARY REVENUE ACT. 1932, c. 10.
- SURROGATE COURTS ACT. R.S.O. 1927, c. 94; 1929, c. 23, s. 4 am.; 1930, c. 21, s. 8 am., c. 25, s. 4 rep.; 1933, c. 63 am.
- SURVEYORS. *See* Land Surveyors' Act.
- SURVEYS ACT. R.S.O. 1927, c. 202; 1931, c. 42 am.

## T

- TAXATION. *See* Amusements Tax Act; Assessment Act; Corporations Tax Act; Fuel Oil Tax Act; Gasoline Tax Act; Land Transfer Tax Act; Mining Tax Act; Mortgage Tax Act; Provincial Land Tax Act; Railway Fire Charge Act; Supplementary Revenue Act; Succession Duty Act; Tax Sales Confirmation Act.
- TAX SALES CONFIRMATION ACT. 1929, c. 64; 1931, c. 52.
- TEACHERS' AND INSPECTORS' SUPERANNUATION ACT. R.S.O. 1927, c. 331; 1929, c. 84, s. 13 am.; 1930, c. 63, ss. 21, 22 am.; 1932, c. 42, s. 19 am.; 1933, c. 58, ss. 33-35 am.; 1934, c. 52, ss. 17, 18 am.
- TECHNICAL EDUCATION. *See* Vocational Education Act.
- TELEGRAPH COMPANIES ACT. R.S.O. 1927, c. 220.
- TELEPHONE ACT. R.S.O. 1927, c. 227; 1928, c. 21, s. 12 am.; 1931, c. 23, s. 19 am.; 1932, c. 27 am.
- TEMISKAMING AND NORTHERN ONTARIO RAILWAY ACT. R.S.O. 1927, c. 53; 1934, c. 58 am.
- TERRITORIAL DIVISION ACT. R.S.O. 1927, c. 3.
- THEATRES AND CINEMATOGRAPHS ACT. R.S.O. 1927, c. 285; 1930, c. 58 am.; 1931, c. 61 am.; 1932, c. 53, s. 31 am.; 1933, c. 64 am.
- THRESHING MACHINES. *See* Steam Threshing Engines Act; Threshing Machines Act

THRESHING MACHINES ACT. R.S.O. 1927, c. 287.  
 TICKET SPECULATION ACT. R.S.O. 1927, c. 273.  
 TILE DRAINAGE ACT. R.S.O. 1927, c. 65; 1928, c. 21, s. 2 am.; 1929, c. 25 rep. and sup.; 1931, c. 16 am.; 1934, c. 59 am.  
 TIMBER. *See* Crown Timber Act; Cullers' Act; Provincial Forests Act; Pulpwood Conservation Act; Forestry Act; Timber Cutting Regulation Act.  
 TIMBER CUTTING REGULATION ACT. 1928, c. 15.  
 TORONTO GENERAL HOSPITAL ACT. R.S.O. 1927, c. 358; 1928, c. 58 aff.; 1931, c. 140 am.  
 TOWN SITES ACT. R.S.O. 1927, c. 44.  
 TRADE DISPUTES ACT. R.S.O. 1927, c. 178; 1932, c. 20, s. 5 rep.  
 TRAINING SCHOOLS ACT. *See* Ontario Training Schools Act.  
 TRANSFER OF PROPERTY. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.  
 TRANSPORTATION OF FOWL ACT. 1929, c. 79; 1932, c. 47 am.  
 TRAVELLING SHOWS ACT. R.S.O. 1927, c. 256; 1930, c. 50 am.  
 TREE PLANTING ACT. R.S.O. 1927, c. 255.  
 TRUST CORPORATIONS ACT. *See* Loan and Trust Corporations Act.  
 TRUSTEE ACT. R.S.O. 1927, c. 150; 1928, c. 23 am.; 1930, c. 31 am.; 1931, c. 23, s. 7 am.; 1933, c. 59, s. 17 am.; 1934, c. 60 am.

## U

UNDERTAKERS. *See* Embalmers and Funeral Directors Act.  
 UNEMPLOYMENT RELIEF ACT. 1931, c. 4; 1932, c. 4; 1933, c. 65; 1934, c. 61 am.  
 UNIVERSITY ACT. R.S.O. 1927, c. 337; 1930, c. 63, ss. 29, 30 am.; 1932, c. 53, s. 43 aff.  
 UNIVERSITY AVENUE EXTENSION ACT. 1928, c. 17; 1929, c. 23, s. 19 am.  
 UNIVERSITY LANDS ACT. 1928, c. 55; 1929, c. 85 am.; 1930, c. 65 aff.  
 UNIVERSITY OF WESTERN ONTARIO ACT. 1928, c. 56; 1932, c. 54 aff.  
 UNWROUGHT METAL SALES ACT. R.S.O. 1927, c. 50.  
 UPPER CANADA COLLEGE ACT. R.S.O. 1927, c. 338; 1933, c. 59, s. 28 aff.

## V

VACANT LAND CULTIVATION ACT. R.S.O. 1927, c. 250.  
 VACCINATION ACT. R.S.O. 1927, c. 263.  
 VEGETABLES. *See* Fruit and Vegetables Consignment Act.  
 VEHICLES. *See* Highway Traffic Act; Public Vehicle Act; Public Commercial Vehicle Act.  
 VENDORS AND PURCHASERS ACT. R.S.O. 1927, c. 153.  
 VENEREAL DISEASES PREVENTION ACT. R.S.O. 1927, c. 264; 1934, c. 62 am.  
 VETERANS' LAND GRANT ACT. 1901, c. 6; 1920, c. 15; 1922, c. 17 am.  
 VETERINARY COLLEGE ACT. R.S.O. 1927, c. 340.  
 VETERINARY SCIENCE PRACTICE ACT. R.S.O. 1927, c. 208; 1931, c. 44 rep. and sup.; 1933, c. 66, ss. 2, 6, 7 am., 3-5 aff.  
 VEXATIOUS ACTIONS. *See* Public Authorities Protection Act; Vexatious Proceedings Act.  
 VEXATIOUS PROCEEDINGS ACT. 1930, c. 24.  
 VICIOUS DOGS ACT. 1931, c. 64.  
 VITAL STATISTICS ACT. R.S.O. 1927, c. 78; 1929, c. 26 am.; 1930, c. 19 am.; 1931, c. 21 am.  
 VOCATIONAL EDUCATION ACT. R.S.O. 1927, c. 334; 1929, c. 84, ss. 14, 15 am.; 1930, c. 64 rep. and sup.; 1931, c. 71, s. 15 am.; 1933, c. 58, ss. 36, 37 am.; 1934, c. 52, s. 19 am.  
 VOTERS' LISTS ACT. R.S.O. 1927, c. 7; 1929, c. 23, s. 1 am.; 1932, c. 53, s. 1 am.; 1933, c. 67, ss. 2-9, 14, 15 am., 10-13 aff.; 1934, c. 63 am.

## W

WAGES. *See* Minimum Wage Act; Public and other Works Wages Act.  
 WAGES ACT. R.S.O. 1927, c. 176.  
 WAREHOUSEMEN'S LIEN ACT. R.S.O. 1927, c. 169.

- WATER POWERS REGULATION ACT. R.S.O. 1927, c. 58.
- WEED CONTROL ACT. R.S.O. 1927, c. 309; 1928, c. 51 am.; 1934, c. 64 a.
- WELL DRILLERS ACT. R.S.O. 1927, c. 48.
- WHARFS AND HARBOURS ACT. R.S.O. 1927, c. 221.
- WILLS ACT. R.S.O. 1927, c. 149.
- WINDSOR, ESSEX AND LAKE SHORE RAILWAY ACT. 1929, c. 56, ss. 2-18 aff., s. 19 am.; 1930, c. 18, ss. 2-4 aff., s. 5 am.; 1932, c. 99 aff.; 1933, c. 111, aff.; 1934 c. 54, s. 21 aff.
- WINDSOR-WALKERVILLE VOCATIONAL SCHOOL ACT. 1934, c. 65.
- WITNESSES. *See* Evidence Act.
- WIVES. *See* Deserted Wives' and Children's Maintenance Act; Dependants' Relief Act; Dower Act.
- WOLF BOUNTY ACT. R.S.O. 1927, c. 320; 1928, c. 21, s. 13 am.; 1929, c. 83 am.; 1930, c. 21, s. 17 am.; 1931, c. 70 am.; 1933, c. 68 am.
- WOMEN. *See* Deserted Wives' and Children's Maintenance Act; Dower Act; Factory, Shop and Office Building Act; Female Patients and Prisoners Protection Act; Female Refuges Act; Minimum Wage Act; Mothers' Allowances Act.
- WOODMEN'S EMPLOYMENT ACT. 1934, c. 66.
- WOODMEN'S LIEN FOR WAGES ACT. R.S.O. 1927, c. 174; 1933, c. 69 am.
- WORKMEN'S COMPENSATION ACT. R.S.O. 1927, c. 179; 1928, c. 26 am.; 1931, c. 37 am; 1932, c. 21 am.; 1933, c. 70 am.
- WORKMEN'S COMPENSATION INSURANCE ACT. R.S.O. 1927, c. 180.

# TABLE OF PUBLIC STATUTES

1928-1934

Which were to be brought into force  
by Proclamation

## A

TABLE SHOWING WHICH OF SUCH ACTS OR PARTS  
THEREOF NOW IN FORCE AND THE RESPECTIVE  
DATES UPON WHICH THEY CAME INTO FORCE

ASSIGNMENT OF BOOK DEBTS ACT. 1931, c. 35. 8th June, 1932.  
ASSIGNMENT OF BOOK DEBTS ACT. 1932, c. 48. 8th June, 1932.  
AUTOMOBILE INSURANCE ACT. 1932, c. 25. 1st September, 1932.  
CEMETERIES ACT, 1931, c. 68. 2nd November, 1931.  
COMPANIES ACT. 1928, c. 32. Sections 1 to 12. 10th May, 1928.  
COMPANIES INFORMATION ACT. 1928, c. 33. 10th May, 1928.  
CONSTABLES ACT. 1929, c. 39. 24th June, 1929.  
CORPORATION SECURITIES REGISTRATION ACT. 1932, c. 50. 30th May, 1932.  
HIGHWAY TRAFFIC ACT. 1932, c. 32, Sections 6 and 9. 1st September, 1932.  
HOTELS ACT. 1929, c. 75, Sections 15 to 22. 1st May, 1930.  
INDUSTRIAL DISPUTES INVESTIGATION ACT. 1932, c. 20. 15th August, 1932.  
INSURANCE ACT. 1928, c. 35, Sections 2 to 9. 2nd July, 1928.  
INSURANCE ACT. 1931, c. 49, Section 10. 1st July, 1931.  
INSURANCE ACT. 1933, c. 22, Section 15. 27th May, 1933.  
LAC SEUL CONSERVATION ACT. 1928, c. 12. 30th June, 1928.  
LIQUOR CONTROL ACT. 1930, c. 51, Sections 5, 7, 8 and 12. 1st November, 1930.  
MINING ACT. 1928, c. 16, Section 3. 1st January, 1929.  
OLD AGE PENSIONS ACT. 1929, c. 73. 1st November, 1929.  
REAL ESTATE BROKERS ACT. 1930, c. 40. Part I. 28th February, 1931.  
Part II. 19th February, 1931.  
RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29. 3rd February, 1930.  
SCHOOL SITES ACT. 1928, c. 54. 14th May, 1928.  
SECURITIES ACT. 1931, c. 48. 1st May, 1931.  
TRANSPORTATION OF FOWL ACT. 1929, c. 79. 16th December, 1929.  
WORKMEN'S COMPENSATION ACT. 1933, c. 70, Section 4, Subsection 3. 1st March, 1934.

## B

TABLE SHOWING WHICH OF SUCH ACTS OR PARTS THEREOF  
ARE NOT PROCLAIMED AS OF 3RD APRIL, 1934

ASSESSMENT ACT. 1931, c. 51, Section 5.  
DESERTED WIVES' AND CHILDREN'S MAINTENANCE ACT. 1934, c. 10.  
ELECTION ACT. 1930, c. 3.  
FUEL OIL TAX ACT. 1932, c. 12.  
HOTELS ACT. 1929, c. 75, Sections 1 to 14 and 23 to 33.  
INSURANCE ACT. 1930, c. 41, Section 12.  
INSURANCE (TEMPORARY PROVISIONS) ACT. 1932, c. 26 (*see 1933, c. 23 and 1934, c. 23*).  
IRON ORE BOUNTY ACT. 1930, c. 9.  
LIQUOR CONTROL ACT. 1929, c. 69, Section 5.  
LIQUOR CONTROL ACT. 1934, c. 26.  
ONTARIO MARKETING ACT. 1934, c. 38.  
SILICOSIS ACT. 1929, c. 71.  
SILICOSIS ACT. 1930, c. 59.



# Table of Proclamations, Orders-in-Council and Regulations Made from 1st January, 1933 to 31st March, 1934, which are in Force and of General Effect

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1933

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## CHILDREN'S PROTECTION ACT.

Regulations governing Children's Aid Societies.

Order-in-Council, 11th March, 1933—Gazette, 25th March, 1933.

## CORPORATIONS TAX ACT.

General regulations.

Order-in-Council, 27th April, 1933—Gazette, 6th May, 1933.

## EMBALMERS AND FUNERAL DIRECTORS ACT.

Amending regulations—in force from 1st January, 1934.

Order-in-Council, 15th August, 1933—Gazette, 19th August, 1933.

## FRUIT PEST ACT.

Amending regulations.

Order-in-Council, 9th May, 1933—Gazette, 1st July, 1933.

## GAME AND FISHERIES ACT.

Regulations as to Frogs.

Order-in-Council, 2nd May, 1933—Gazette, 13th May, 1933.

Regulations as to Groundhogs.

Order-in-Council, 9th May, 1933—Gazette, 20th May, 1933.

Regulations as to Guests of Province.

Order-in-Council, 9th May, 1933—Gazette, 20th May, 1933.

Regulations as to Guides' licenses.

Order-in-Council, 9th May, 1933—Gazette, 20th May, 1933.

Regulations as to Pelt permits.

Order-in-Council, 13th June, 1933—Gazette, 27th June, 1933.

## HIGHWAY TRAFFIC ACT.

Application of Subsection 1 of Section 73 to judgments recovered against residents of Ontario in the courts of Michigan, U.S.A.

Proclamation, 17th October, 1933—Gazette, 4th November, 1933.

## LIQUOR CONTROL ACT.

Amending regulations.

Order-in-Council, 3rd March, 1933—Gazette, 11th March, 1933.

Order-in-Council, 28th March, 1933—Gazette, 1st April, 1933.

Order-in-Council, 3rd November, 1933—Gazette, 11th November, 1933.

Order-in-Council, 15th December, 1933—Gazette, 23rd December, 1933.

## LIVE STOCK AND LIVE STOCK PRODUCTS ACT.

Beef-grading regulations (Canada) of 13th February, 1929 (Canada Gazette of 23rd February, 1929), proclaimed in force in Ontario.

Proclamation, 13th June, 1933—Ontario Gazette, 1st July, 1933.

## PROVINCIAL LAND TAX ACT.

Annual tax for 1934.

Order-in-Council, 9th May, 1933—Gazette, 10th June, 1933.

## PUBLIC HEALTH ACT.

Regulations governing fumigation of buildings.

Order-in-Council, 3rd November, 1933—Gazette, 11th November, 1933.

## PUBLIC HOSPITALS ACT.

Regulations governing public hospitals.

Order-in-Council, 13th December, 1933—Gazette, 7th January, 1934.

## RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT.

Application to Province of New Brunswick.

Order-in-Council, 24th October, 1933—Gazette, 28th October, 1933.

## SECURITIES ACT.

Amending regulations.

Order-in-Council, 9th May, 1933—Gazette, 3rd June, 1933.

Order-in-Council, 21st September, 1933—Gazette, 30th September, 1933.

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1934

## HIGHWAY TRAFFIC ACT.

Application of Subsection 1 of Section 73 to judgments recovered against residents of Ontario in the courts of Pennsylvania, U.S.A.

Proclamation, 9th January, 1934—Gazette, 20th January, 1934.

## LIVE STOCK AND LIVE STOCK PRODUCTS ACT.

Egg-grading regulations (Canada) of 11th October, 1933 (Canada Gazette of 28th October, 1933), proclaimed in force in Ontario.

Proclamation, 20th February, 1934—Gazette, 24th February, 1934.

## ONTARIO HAIRDRESSERS AND BARBERS ASSOCIATION ACT.

Provisional By-laws of the Association approved.

Order-in-Council, 20th February, 1934—Gazette, 3rd March, 1934.





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